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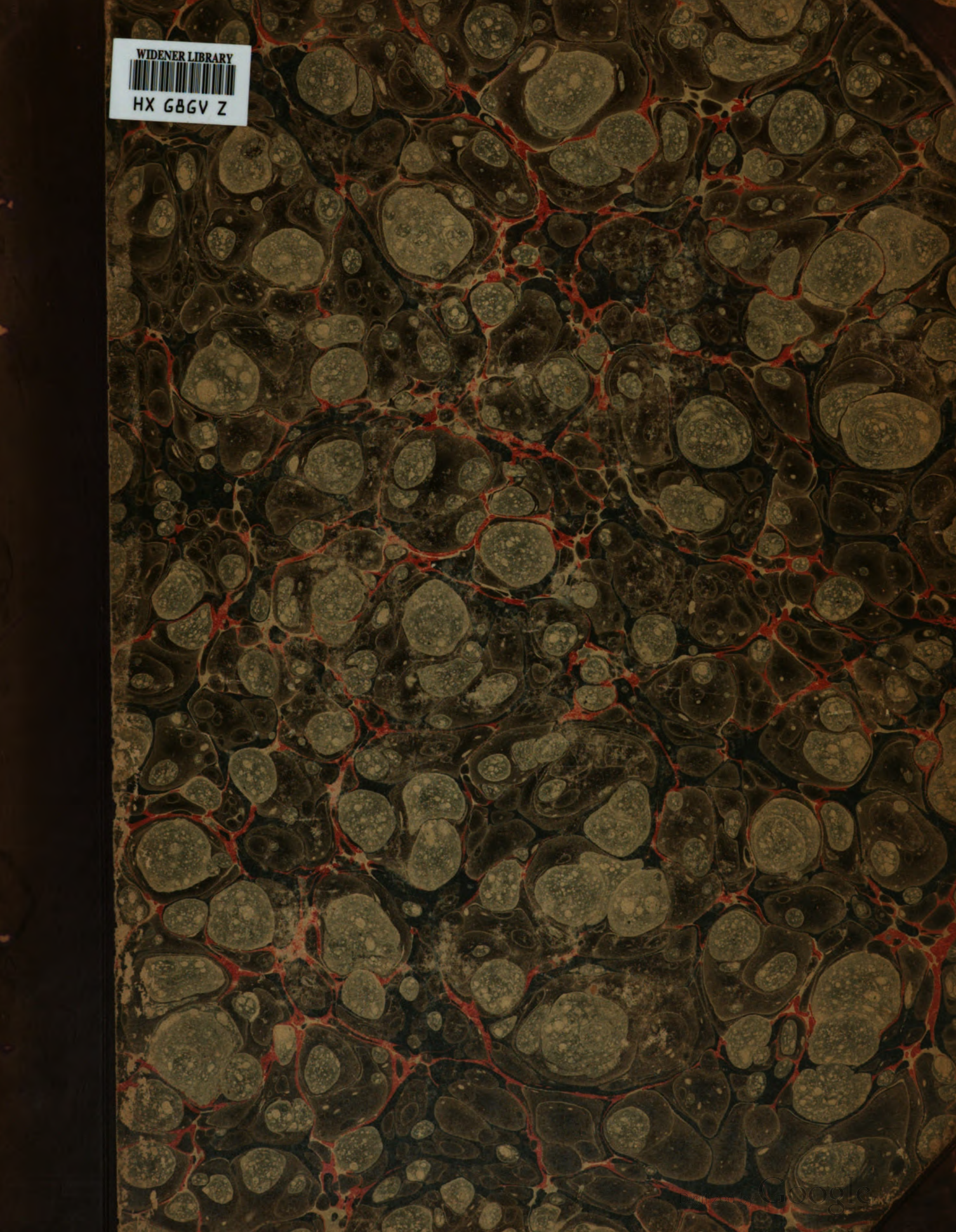
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STATEMENT,  
LETTERS, AND DOCUMENTS,

RESPECTING THE

. *AFFAIRS OF TRINIDAD:*

INCLUDING A

REPLY

TO

COLONEL PICTON'S ADDRESS

TO THE COUNCIL OF THAT ISLAND:

SUBMITTED TO THE CONSIDERATION OF

THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

*William*  
BY COLONEL FULLARTON.

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✓  
C LONDON:

PRINTED BY B. M-MILLAN, BOW-STREET, COVENT-GARDEN,  
PRINTER TO HIS ROYAL HIGHNESS THE PRINCE OF WALES.

1804.

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TO THE

RIGHT HONOURABLE LORD HOBART,

SECRETARY OF STATE FOR THE COLONIAL DEPARTMENT, &c. &c. &c. &c.

MY LORD,

*Brompton, March 1804.*

IN the month of April, 1802, your Lordship did me the honour to intimate your intention of suggesting me for a situation at the head of the Government in Trinidad. On the 27th of May, Mr. Canning in the House of Commons, moved an Address to His Majesty respecting the cultivation of that valuable Settlement.

See motion of Mr. Canning, and speech of Mr. Addington, in the Parliamentary Debates, 27th May, 1802.

The declaration made by Mr. Addington on that occasion, displayed an enlightened and enlarged attention, on the part of Ministers, to the particular interests of the Island, and to the general improvement of colonial regulations; of course I felt gratified in the expectation of proving myself a useful instrument for carrying into effect the important objects of inspection and report, which the Trinidad Commission of Government was intended to accomplish.

Immediately after the dissolution of Parliament, I had the honour of being gazetted for the employment in question; at the same time, the late Governor was named Second in the Commission, and left in the exclusive command of the military force. Commodore Hood was included as our co-adjutor: his high professional character, and the assurances which I received from mutual friends, of his honourable principles, gave me the most sanguine expectations of his cordial co-operation in the execution of His Majesty's Commands.

Conceiving that the office of Commissioner was not comprehended under the Statute of Queen Anne, excluding Governors and Lieutenant-Governors from seats in the House of Commons, I did not hesitate to accept the situation. But, on the day of election for the County of Ayr, which I had represented by unanimous suffrage in the preceding Parliament, I expressly declared in the public meeting, that my obligations to the voters and inhabitants of Ayrshire, would make

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me resign the nomination rather than cease to represent the County\*. The freeholders, in the most gratifying manner, approved of my having accepted the appointment as First Commissioner of Government in Trinidad, and unanimously re-elected me, which I had the honour of stating to your Lordship next day.

See Articles of  
Capitulation  
granted by Sir  
Ralph Aber-  
cromby to Tri-  
nidad.

After my return to London in September 1802, I had the greatest satisfaction in receiving the King's instructions from your Lordship. They appeared to breathe a spirit of liberality, wisdom, and detail attention to the colonial interests, which could not fail to promote the external relations and internal prosperity of Trinidad; provided the Commissioners performed their duties with zeal, co-operation, and obedience to these instructions, and adhered to the articles of capitulation granted to the Colony by Sir Ralph Abercromby, whose private virtues and abilities in civil regulations, were no less distinguished than his eminent talents as a Commander.

The appointment of Colonel Rutherford also, as Surveyor-General of the Island, with Major Williamson, Messrs. Vargas, Mackenzie and Christie, as his Assistants, convinced me that the important business of topographical inspection would be efficiently performed.

Mr. Adderley's nomination as Provost Marshal, gave me the strongest expectations of an able and zealous discharge of all the duties connected with the superintendence and regulations of police.

To these was added Mr. Woodyear, as Public Secretary of the Commission.

His Majesty's ship *Ulysses* was destined to convey the persons attached to the Commission, and to the Surveyor-General's Department; Captain Columbine was selected to command that ship, accompanied by two tenders, and to be employed on the naval surveys and report. In addition to a very high character for talents and general ability, Captain Columbine stood so eminently distinguished for his superior powers as a draftsman, and nautical observer, that it would have been hardly practicable to find an officer possessing more appropriate qualities for the situation.

On the 26th of ~~November~~, the *Ulysses* and two armed brigs, the *Advice* and *Express*, sailed from Portsmouth, with all the persons connected with the Commission, except Commodore Hood, whose departure unfortunately was delayed in consequence of arrangements, arising from the hostile appearance of affairs with France.

Your Lordship will recollect, that on my receiving intimation from Commodore Hood that he was detained on public service, and prevented from sailing on board of the *Ulysses*, I wrote immediately to

\* Colonel Fullarton wrote a letter, officially relinquishing the appointment of First Commissioner, if it should interfere with his re-election.

him.

*October*

him and to Mr. Sullivan, informing them that I had declined to embark until I should receive your Lordship's farther orders; and expressing extreme reluctance to proceed to Trinidad, or to open the Commission in that Island, without the personal presence and co-operation of Commodore Hood. We had perused together, the Instructions at your Lordship's Office, and I had observed with great satisfaction, his entire concurrence, in expressing the strongest sentiments of approbation, and his earnest wishes to carry the letter and spirit of your orders into full effect.

Nothing less than these indications of coinciding sentiments, could have encouraged me to undertake a task so delicate and arduous; Governor Picton having been appointed to remain Second Commissioner, with unrestrained power as Military Commandant, and possessing all the influence and means of counteraction arising from six years of absolute and undivided authority, during which period he had nominated to their situations almost all the official persons in the Island.

A letter from Mr. Sullivan communicated your Lordship's directions, that we should not wait for Commodore Hood, but sail for Barbadoes, and from thence to Trinidad, in order to open the Commission, and dispatch the business of it without delay. After anchoring at Madeira and Teneriffe, we reached Bridgetown, in Barbadoes, on the 21st of December. There we had the satisfaction of finding Commodore Hood on board His Majesty's ship *Blenheim* \*. Unfortunately, as I then conceived, he judged it impossible for him to accompany us to Trinidad; and after remaining some time at Bridgetown, we were under the necessity of proceeding in the *Ulysses*, with assurances from the Commodore that he would follow as soon as his naval duties would permit.

We arrived in the Gulf of Paria, off the Port of Spain, the 3d of January 1803, after a voyage of two months, during which we received the most gratifying attentions and civilities from Captain Columbine, and from every officer under his command. The unanimity and harmony which prevailed among the officers and ship's company, with the numerous passengers connected with the Commission, and their attendants, have never been surpassed on any occasion; and without any interruption whatever, except from some impro-

\* Commodore Hood suggested the idea of Colonel Fullarton's going on board the *Blenheim*, and leaving the *Ulysses* to proceed with the other Gentlemen to Trinidad; but whether it was meant that he should remain until the Commodore was likewise ready for departure, was not explained; as Colonel Fullarton immediately declined the proposal, conceiving it would be highly disrespectful to Captain Columbine. This incident, although apparently trivial, is noticed, because it has been hinted that Commodore Hood had taken some offence at Colonel Fullarton's refusing to quit the *Ulysses*.



prieties on the part of Mr. Woodyear. These circumstances are mentioned, my Lord, because that Gentleman ventured in the month of April, during my absence from the Port of Spain, to enter on the Minutes of Council, very flagrant mistatements, contradicted by every Gentleman who sailed on board the ship, and afterwards retracted, and apologized for, by Mr. Woodyear himself, as will appear by the particulars of his examination on the Minutes of Council in the month of July last.

On the 4th of January I landed from His Majesty's ship Ulysses, at the Port of Spain, and was received on shore by the General with great politeness and attention. All descriptions of civil and military persons waited on me, and I took the oaths and my seat in Council, and in the Cabildo, or Municipal Tribunal.

In addressing these public bodies, I felt it my duty to express my earnest desire to co-operate with Brigadier-General Picton, and with Commodore Hood, as soon as he should arrive, and with all classes of the community, in order to carry into full effect the wise, liberal and enlightened instructions, under which the Commissioners were directed to act for the future welfare and prosperity of the Colony.

Among many other Gentlemen, Mr. Adderley was standing at my side when I stated these sentiments.

Next day, both he and I were much surprized to observe in the Trinidad newspaper, published by Mr. Gallagher, an account of my reception, and of my speech on the occasion; in which I was represented to have bestowed unqualified praise and approbation on all the proceedings under General Picton's government, not only in my own name, but in the name of His Majesty's Ministers.

Being unwilling to give offence to General Picton by a public contradiction of this gross mistatement, and no less averse from allowing it to be imposed on Ministers as having really been pronounced by me, I requested Mr. Adderley, as a witness of what I actually had said, to inform Lord Hobart, that I had neither presumed to say one word in the name of Ministers, from whom I had no authority upon the subject, nor had I in my own name expressed any praise of transactions with which I was totally unacquainted: but that I had in the strongest terms declared the principles of conciliation and of co-operation with which I resolved to act.

On the 6th of January, Mr. Gloster and Mr. Woodyear urged me to concur in a Proclamation, declaring that all laws, usages and employments should continue in full force.

As the object stated was to quiet the minds of the inhabitants, by removing any apprehensions of innovations and supersessions, I did not object to the measure, which they seemed to have very eagerly at heart. The Proclamation was prepared, and ordered to be printed.

After

After it was in the Printer's hands, however, it occurred to me, that there would be a marked impropriety in hastily promulgating such a public act, without previously communicating its contents to Commodore Hood, who was then absent at Barbadoes. Under this impression, I sent the Assistant Secretary of the Commission, Mr. Burke, to Mr. Gallagher\* next morning at six o'clock, to desire that he would not on any account issue the Proclamation, but bring me the proof-sheet as soon as it was ready. He returned for answer, that he would wait on me with the proof-sheet at eight o'clock. Instead of coming, however, at the hour appointed, I was much surprised to learn that the Proclamation was placarded all over the town. Mr. Gallagher was immediately reprimanded for disobeying a positive order, and for printing off a public document without shewing me the proof-sheet. I then directed him without delay to pull down all the Proclamations, and to deliver them to me.

This he faithfully performed, and apologized for having disobeyed my instructions respecting the proof-sheet, by assuring me that Mr. Woodyear had given him a counter-order, and had directed him to publish the Proclamation at all events; adding, that he was Public Secretary, to whom Mr. Gallagher and all others must apply for instructions and for payment. In order to prevent a repetition of such counteraction on the part of Mr. Woodyear, I stated to him at full length the fatal consequence of such proceedings, and the exultation which would thereby be occasioned, among those who had an obvious interest in wishing that the operations of the Commissioners should not prove more popular and successful than those of the preceding Government. This conversation took place in the presence of Mr. Adderley, Colonel Rutherford, Major Williamson, Mr. Burke, and Mr. Mackenzie; all of whom will bear testimony to the truth of these assertions. These Gentlemen were passengers along with me in the Ulysses. They have all held official and confidential situations connected with the Commission, and they can certify the injurious mistatements entered on the Minutes of Council by Mr. Woodyear, Mr. Black, General Picton, and Mr. Gloster.

As soon as the copies of the Proclamation were pulled down†, Mr. Gloster was apprized of my intention to defer the publication, until I could have some communication on the subject with Commodore Hood. Before an opportunity of writing, however, occurred, I re-

\* Gallagher was General Picton's Printer; Mr. Black was understood to be the Editor of his newspaper, for which Mr. Gloster is stated to have furnished paragraphs.

† The uncommon degree of eagerness marked by Mr. Gloster and other friends of General Picton, certainly induced suspicions of there being some latent cause unknown to Colonel Fullarton, for the extreme anxiety about publishing this Proclamation as his first public act, which added strength to the idea that it ought to be delayed till the Commodore should be consulted.

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ceived a letter from the Commodore, expressing his warmest estimation and regards, and assuring me of his intention very soon to sail for Trinidad.

This circumstance, and the extreme eagerness with which the publication in question had been urged by Mr. Woodyear, Mr. Gloster, and their Printer, Mr. Gallagher, induced me to postpone any further proceeding on the business till the arrival of the Commodore. The subsequent events have fully proved that the suggestion of a Proclamation was not intended merely to remove apprehensions of alterations and innovations, but to betray me into an unintentional declaration, which if it had taken place, would have been perverted into a retrospective approbation and confirmation of all the acts and practices of the preceding Government. My sentiments on the subject are fully expressed in a letter to Mr. Adderley, dated 25th March.

See Letter to G.  
A. Adderley,  
Esq. dated 25th  
March.

From the moment of my first arrival in Trinidad, I felt so much delicacy on the subject of the relative situation in which I was placed, by superseding Governor Picton, who had ruled the Colony with absolute power for six years, that I avoided every thing which could wound his feelings.

The meeting of the Council continued to be held at his house, and I went there very frequently on other occasions. Every transaction of any consequence was stated and discussed in Council, which, on my suggestion, was appointed to meet every Thursday.

It is proved by the Minutes, that no objection, remonstrance, or dissent of any kind, occurred or was recorded previously to the 12th of February.

In a detailed letter on this subject, it is stated, and can be proved by the solemn declarations of several hundred respectable persons on oath, that although from the first moment of my arrival in Trinidad, I daily devoted many hours to reception and communication with all descriptions of inhabitants and strangers, yet I declined invariably all retrospect, and constantly refused to hear any complaint against the late Governor.

From this circumstance, and from the extraordinary system of espionage and terror so powerfully enforced by General Picton, it did happen that the nature and extent of his enormities remained concealed from me.

Although I acted on the declared principle of avoiding all retrospect, of endeavouring to conciliate all animosities, and of looking forward to the co-operation of all classes for the future welfare of the Colony, yet it was impossible for the most superficial observer to avoid perceiving a marked difference in the modes of thinking, acting, and expression between the late Governor and me.

His declared friend and avowed adherent, Mr. Gloster, repeatedly pressed



pressed his services upon me in the capacity of Aid-de-Camp; an employment which I conceived to be by no means compatible with his official situation as Colonial Attorney-General. Mr. Gloster very soon marked extreme uneasiness at the multitudes of English, Spanish, French, and South-American visitors who daily waited on me, and with all of whom I held personal communications in their own languages, without the intervention of Mr. Gloster, or of any other individual.

The People of Colour also, were very soon pleased to express themselves in terms of strong approbation; and whenever I went out, or any of my family, the inhabitants marked their respect and regard in the most flattering manner.

Although these circumstances might occasion some secret dissatisfaction to B. G. Picton and his immediate advisers, yet he continued to act with great politeness. On the Queen's birth-day he gave a splendid ball and entertainment, at which the Ladies, and all the Gentlemen connected with the Commission, formed part of the company.

Mr. Adderley, whose duty as Provost-Marshal demanded his attention to the prison, soon discovered that the business of the jail was conducted in the most objectionable manner, and that the condition of the prisoners was truly deplorable. It had been the practice, in defiance of the Spanish Law, to commit any person to prison without the specification of an offence—"Jusqu'a nouvel ordre," being held a sufficient warrant for the jailer. I desired Mr. Adderley to rectify this illegality, and to direct, that along with every person committed to prison, a specification of the offence might be produced.

It had been usual also to inflict punishments at the mercy and discretion of Mr. Vallot, the jailer\*. I required that he should report to the Provost-Marshal, and to me as First Commissioner, before any punishments were inflicted. The Alcaldes, Mr. Black and Mr. Saint Pé, waited on me, and stated, that any individual sent to prison under their authority for punishment, ought to receive it, without reference to the Commission. Although this appeared directly contrary to Law, yet for the time, and until the arrangements of the prison should be better regulated, I did not object. On Monday in the last week of January, I attended the weekly meeting of the Cabildo, and there urged the necessity of adopting measures for hiring and fitting up a

\* Colonel Fullarton wished to have some check upon the undue severity with which it was hinted to him very early, that punishments were inflicted in the jail; but instead of finding fault with this, till time should have permitted some more effectual remedy, he judged it most prudent for the moment, to order a regular report from the jailer, by which he might modify punishments if too severe, or remit them if proved to be unjust.

See Letter to  
Lord Hobart,  
dated March,  
1803; and Letter  
to John Sullivan,  
Esq. likewise  
dated March.

new jail, under better regulations. After many observations and difficulties from Messrs. Black, Beggurat, and Saint Pé, they proposed that we should in the evening inspect a piece of ground where Mr. Black suggested that a new jail should be built at great expence. I accompanied them, along with Messrs. Adderley, Burke, Vint, Vargas, Montez, Dr. Doncaster, and other gentlemen, first to the ground, and afterwards to the prison. We found such a scene of wretchedness, disease, famine, and exquisite misery, tantamount to torture, as had never been witnessed under a British Government. Of course it was my indispensable duty to express my disapprobation to the Alcaldes, and to the other Members of the Cabildo who were present. Among other things, I mentioned that they had inflicted the punishment before they had passed sentence, for there were five of Baron Montalambert's slaves on hard boards, without light or air, in noxious cells, with their feet mortized in fixed fitters, in positions of prolonged suffering; although the proceedings had not extended farther than to the preliminary information, or proces verbal.

In conversation on these subjects, Mr. Beggurat informed me, that there was not any mode of extorting truth out of such villains except by means of torture; and, to my surprize, I found him justifying the application of the question.

The same evening, before I left the jail, the executioner, William Payne, put into my hands a list of 16 persons who had been flogged, mutilated, beheaded, or burnt. For inflicting all these punishments, he complained that he had only received two joes.

These communications of course occasioned much reflection in my mind. Next night I visited the jail again with the persons who had accompanied me the preceding evening, and with Captain Columbine, who requested to be of the party. Brigadier-General Picton afterwards made it one of his accusations against me, that I had pressed Gentlemen to accompany me to the jail. I now declared decidedly, that unless a new jail was agreed for, I would take upon myself to remove the prisoners on board of a hulk, and to anchor them in the bay.

Next day the General waited on me, and complained that I had attended the meetings of the Cabildo, which he had never done but on extraordinary occasions; and stated, that by visiting the jail, I conveyed an impression that it had been neglected, and that the prisoners had been treated with severity during his government. On the first point I answered, that as he was long acquainted with the local circumstances of the Island, he might not judge it necessary to attend the Cabildo; but that it was indispensable for me, by personal observation and transaction, to enable myself to report on the judicial proceedings of the Colony, and that I should continue to attend the  
Cabildo

~~On~~ every Monday. With respect to the second point, I assured the General that it was absolutely requisite to have a new jail, and to arrange the condition of the prisoners on a better footing. At the same time, I expressed how much I approved the measure of stating distinctly and at once to myself, any circumstance which gave him dissatisfaction.

Next day Mr. Black proposed arrangements for purchasing a house proper for a jail, and the same was afterwards determined in Council, with the assent and apparent approbation of General Picton and of all the Members.

No other incident worthy of remark occurred, except an endeavour on the part of General Picton to deprive Mr. Hargrave, the Printer, of his license, because he had published an advertisement on the subject of a meeting proposed by Mr. Rigby, for the Merchants to consider of a proper application respecting British Laws. As Mr. Hargrave's advertisement did not contain any thing, in my opinion, deserving to be censured, I objected to withdraw his license, and the matter was no farther urged: but Mr. Rigby and the Merchants learned that the General railed furiously against them, for intending to hold such a meeting, and therefore they desisted at that time. Mr. Rigby was sent for, and explained the particulars to the Commissioners in Council.

See Paragraph for which Mr. Hargrave had been imprisoned by Governor Picton; and another dated January, 1803, for which it was proposed by Brigadier-General Picton to withdraw his license.

On Saturday the 12th of February, Madame Duval, a Frenchwoman, arrived at Port of Spain, having obtained my permission to come from the Spanish Main for a week, to settle some affairs of property. By the Treaty of Amiens, she was entitled to reside in the Colony three years.

The particulars of that transaction, and of the aggression \* committed by B. G. Picton in my own house on the occasion, are fully stated in the accompanying papers.

See No. 1, 2, 3, 4, 5, respecting Madame Duval and Mr. Woodyear; and Note of Apology from B. G. Picton.

On Monday the 14th of February, a Special Council was held, when the

\* The affair of Madame Duval, it will be recollected, gave occasion to the violent outrage committed against Colonel Fullarton in his own house by General Picton. The circumstances are fully stated in the accompanying papers, and were shortly as follows: This Frenchwoman, resident in Martinique, applied to the First Commissioner for leave to come to Trinidad, in order to settle her affairs, and collect the property of her brother, lately deceased. Colonel Fullarton thought the request too reasonable to be denied, but wishing to act cautiously with respect to admitting people from the French Islands whose characters were unknown to him, Madame Duval was restricted to remain only one week in the Colony; and the Public Secretary, Mr. Woodyear, was directed by Colonel Fullarton to mention the affair to General Picton immediately upon the arrival of Madame Duval. The Brigadier, however, did not conceive himself obliged to mark any such civility in return, for without giving the smallest intimation to the First Commissioner, he, in his capacity of *second*, immediately signed an order countermanding the permission Madame Duval had obtained to remain one week, by issuing his fiat that she should not stay one hour, but be instantly forced on board ship, and sent off. Being in the hands of an alguazil for this purpose, she claimed the protection of Colonel Fullarton, who assured her she might rest secure of having the week he had promised, to arrange her affairs; in consequence of which General Picton thought proper to make a public disturbance in the gallery of the drawing-room at Colonel Fullarton's house, in the presence of Mrs. Fullarton and a number of gentlemen sitting there at coffee.

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the General was, if possible, more outrageous than on the preceding Saturday. The enumeration which I read on that occasion, was neither more nor less than the result of the information, communicated to me by Mr. Beggorat, then present as a Member of Council, and by William Payne, the executioner. On my reading that paper all the Members earnestly and unanimously urged a reconciliation between the Brigadier and me.

Although I was aware that this measure was liable to much objection, yet it appeared that I should have exposed myself to injurious imputations of an unrelenting character, if I had resisted the united importunities of the Council, stated to be urged for the welfare of the Colony; and under these impressions I assented. The reconciliation, therefore, took place, and Mr. Unwin, Clerk of Council, without any instructions, of his own authority destroyed all the papers which had been presented by me on the subject. Fortunately, however, as it afterwards turned out, the papers had been signed in duplicate.

On Thursday the 17th of February I moved the suspension of Mr. Woodyear\*. The proceedings relative to that transaction are fully explained in the accompanying documents. Although the Brigadier spoke in strong terms, which I answered, and although he entered a protest upon the Minutes, yet no formal repetition of the rupture took place; on the contrary, he communicated to me, through Mr. Gloster, his readiness to conduct the public business in an amicable manner; and offered, for protection of the inhabitants, if I desired it, to replace the guards and sentries whom he had withdrawn on the dis-

See Brigadier-General Picton's dissent, on the Minutes of Council, dated the 17th of February.

In the meeting of Council, after the affair of Madame Duval, it was absolutely necessary to introduce the enumeration of punishments delivered to Colonel Fullarton by the executioner, as the only means of quelling General Picton's violence, and it had the immediate effect of producing the unanimous desire of all his friends in the Council, that a reconciliation should take place with the First Commissioner; yet this very enumeration has since been quoted as the original ground of quarrel on the part of the Brigadier. It ought to be recollected, that the mode in which Colonel Fullarton mentioned this enumeration, was by calling for lists, as legally put upon record, of all persons who had suffered these punishments, in order that he might know the individuals who had incurred the Brigadier's displeasure, and the grounds on which they were considered by him as dangerous to the Settlement. If this enumeration was such an outrage at that time, how comes it now that the Brigadier is stated *gallantly* coming forward to avow the whole as acts of vigour and vigilance, by which he saved the Colony?

\* It must be remembered, that Colonel Fullarton has stated the suspension of Mr. Woodyear as the only ground upon which he could have agreed to the reconciliation proposed so strenuously by the Council, saying at the time, that however much he was inclined to sacrifice personal feelings to public duty, still there were bounds to this also; and after the violent outrage offered to the First Commissioner, in the face of the Colony by General Picton, it was impossible for Colonel Fullarton, becoming his own character, to agree to any reconciliation, but upon the plea originally brought forward by the Brigadier, that Mr. Woodyear had not made the communication as directed by Colonel Fullarton on the subject of Madame Duval, and it then became necessary, that if General Picton's conduct was excusable on the ground of Mr. Woodyear's failure in point of duty, he should be held publicly responsible for the impropriety on the part of General Picton, and this could alone be effected by his suspension.

turbance

turbances respecting Madame Duval. Matters stood in this predicament when General Grinfield and Commodore Hood arrived, and were received with public honours on the 22d February \*. To prevent any awkwardness, I accompanied General Grinfield and Commodore Hood to visit B. G. Picton, and invited him to meet them at dinner. While General Grinfield remained in Trinidad, affairs were conducted on a footing of apparent civility, but of obvious distance and restraint on the part of the Brigadier. We continued however to meet in Commission and in Council, where the Brigadier never failed to bring forward points of altercation, which I invariably endeavoured to repress. General Grinfield embarked on Sunday the 13th of March, and although he had lived in my house, I purposely avoided saying any thing that might rouse him against B. G. Picton; and only at the moment of his embarkation, put into his hand copies of the discussion respecting Madame Duval and Mr. Woodyear. General Grinfield returned the Papers next day, with a very polite Letter, expressing his thanks for the perusal of them, and for the attentions he had received.

On Thursday the 17th of March it pleased B. G. Picton to read in Council, a Minute containing statements and expressions proving his determination to persist in forcing me either to concur in supporting a system of severity repugnant to my sentiments and principles,

See Minute of Council by Brigadier-General Picton, dated the 17th of March.

\* Colonel Fullarton declined attending General Grinfield on parades, and other Military functions, as he would have wished, because, from the temper of mind the Brigadier had already evinced, he would have attributed any fault found by the Commander of the Forces, as being suggested by "insidious" observations from the First Commissioner, who, if he had even been less practised in the art Military, could hardly have remained so many weeks in the Colony, without having formed a decided opinion, that Brigadier-General Picton was equally deficient in his duty as an Officer and as a Governor. His adherents have induced a belief, that in the former capacity he was highly distinguished and meritorious; but no one fact or instance has ever been adduced in proof of this assertion, though many have been stated in contradiction of it; and the recapitulation of some circumstances at the former attack of St. Lucia, which were brought forward to the Brigadier himself by the present Barrack-Master of Trinidad, an old and experienced Officer, whom he used extremely ill, did not tend to increase the idea of his prowess; the greatest effort of which, as related by himself, seems comprised in the valorous exploits of one hundred men \*, whom he describes as being detached from the weak garrison of Trinidad, to carry terror and dismay to every adjacent territory, where they kept enemies of all descriptions in check, and so saved the valuable Colony under his government. The chief object of these expeditions was, to plunder cattle from the unoffending inhabitants for his own emolument. With respect to the Brigadier's detail military arrangements, it is perfectly known that General Grinfield was so far from bestowing any approbation upon them, that they were the subject of constant vociferations from him, on the parade, in the barracks, and in the hospitals. Even on the day when General Grinfield landed, and was received by the garrison, the common performances of presenting arms, and the usual ceremonial evolutions, were so awkwardly executed, that the Commander of the Forces, and an Officer in his suite, exclaimed, "These troops are twenty years behind." Colonel Fullarton has since understood, that General Grinfield had taken offence at his non-attendance upon him at Military inspections, notwithstanding his having explained the reason for his delicacy on this subject. It is, however, worthy of observation, that amongst all the various false allegations which the Brigadier has coined, it never has occurred to him to state that the First Commissioner interfered in any military matter.

\* The Brigadier did not head these valiant troops.

or else to suffer such insolence, calumny, and outrage, as he vainly expected would have overwhelmed me. I only replied by desiring the Clerk of Council, Mr. Unwin, to furnish me with a copy, "that I might answer the statement as it deserved."

On breaking up the Council, I mentioned to Mr. Adderley and the Gentlemen connected with the Commission, that all restraints and objections to receiving informations and accusations were removed, and that it was impossible for me to concur in continuing such a system of severity.

On the 19th of March I addressed your Lordship, by His Majesty's ship *Excellent*, and on the 20th Major Williamson was so obliging as to undertake a voyage to England, in the ship *Benson*, in order to state officially from me, the unjustifiable proceedings of B. G. Picton.

Communications flowed in immediately from all directions. Messrs. Hayes and Proby were appointed to take these informations in proper legal form, and Mr. Vargas assisted as assessor, being a Spanish lawyer of ability and knowledge.

See Minute of Council by Colonel Fullarton, dated the 19th of March, 1807.

On the 24th of March I read to the General in Council the enumeration of imputations which were entered on the Minutes, and transmitted to your Lordship, conceiving it incompatible with my character, and modes of acting, to bring forward charges against any individual, without communicating them, in the first instance, to the party concerned. Until the 24th of March I never had a word of altercation or disunion with Commodore Hood, although I had frequently seen him misled from his own former opinions and better principles by the Brigadier; but on my reading these accusations against General Picton, the \* Commodore was pleased to declare that he considered them as a libel on His Majesty's Ministers.

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\* Commodore Hood is understood to have affirmed, that from the unqualified praise bestowed on General Picton by Ministers, he conceived that Colonel Fullarton and he were sent to screen or to adopt the measures of the former Governor, and it was supposed to be under this impression that he considered it so highly improper for Colonel Fullarton, being in the confidence of Government, to bring forward any charges against General Picton.

Though the Commodore supported General Picton in every outrage against the First Commissioner, it is perfectly well known that, during his absence, very high tones, and words of an accusatory nature, passed between the two colleagues. The General urged the Commodore to join in a few more imprisonments, to which the Naval Commander is stated to have replied, "that, for his part, he meant yet to be able to shew his face in London, and would leave the Government to him, and be d—d to it!\*" On another occasion, the Commodore expressed a wish to know the specified objects, as the Brigadier would only mention general ones, to which the sums drawn from the three and a half percents. had been applied. Upon receiving no satisfactory reply; the Commodore was heard to exclaim, that it was a d—d clandestine manner of spending public money, and again declared his determination of leaving the Government to the Brigadier. Colonel Fullarton, not being in the Island, can have no personal knowledge of these facts; but very respectable persons there, have declared that these conversations were carried on, in so loud a key, as to be overheard from the Commodore's gallery, whose family likewise repeated them currently through Port of Spain. Indeed the whole conduct of Commodore Hood towards Colonel Fullarton has been perfectly unaccountable. On the part of

\* Commodore Hood had begun to grow alarmed at the idea of damages before a British Jury.

the

The detail of these transactions will best appear from the annexed letters, documents, and declarations. Here it is material to observe, that the Commodore had formed his opinions and expressed his sentiments on these matters, not within the scope of his own knowledge, but on hearsay information. The discussion and reconciliation between B. G. Picton and me, occurred on the 12th and 14th of February; the suspension of Mr. Woodyear on the 17th, and Com-

See Papers entered on the Minutes on the 24th March, by Colonel Fullarton.

the latter, no one mark of attention and cordiality had been omitted. Before the arrival of the Third Commissioner, Colonel Fullarton had been anxious to make the most comfortable arrangements for the accommodation of his family, and hired, for this purpose, the best house to be found in Port of Spain; whereas the Brigadier had provided for Colonel Fullarton one of the very worst, and most unhealthy. To prove how much Commodore Hood's mind was prejudiced by the machinations of Mr. Woodyear, and other adherents of General Picton, instead of expressing any satisfaction at the pains taken for his convenience, he inveighed, the first day of taking possession, against his house being hired without consulting him, and declared he would not sanction the proceeding. This passed in presence of a young Gentleman belonging to the Secretary's Office, Mr. Vint, whom Colonel Fullarton had sent to inquire if there was any thing the Commodore wanted, in which he, or his people, could assist him. It was likewise well known to Commodore Hood, that General Picton expressed himself in the most improper terms, upon Colonel Fullarton's going on board the flag-ship to welcome the Commodore as soon as he cast anchor in the bay. The Brigadier stated this as conduct unbecoming the situation of First Commissioner, and wrote Colonel Fullarton that he would remain upon his post, and receive the Commander of the Forces and the Third Commissioner when they came on shore. He farther publicly, on the wharf, insulted Sir James Bontein, who had accompanied Colonel Fullarton on board: "hoped his Excellency had arrived in good health, and begged leave to congratulate him on landing safely at Trinidad." When Sir James expressed his surprize at this address, General Picton answered, that he understood Sir James had been appointed a Commissioner. The Brigadier, after this ironical display, charged Colonel Fullarton with having other views in visiting the Commander of the Forces and Commodore, than those of friendship; and when Sir James Bontein asserted that not a word passed on business of any sort, the Brigadier defied him, as a Gentleman, to uphold this position. Mr. Woodyear came forward likewise, to assure Sir James that he would not apply to him to be made Secretary. This indecorous scene was carried on in presence of all the people on the Mole, assembled to see General Grinfield and the Commodore land.

It has been affirmed, that Commodore Hood's mind had been poisoned by misrepresentations sent to him at Barbadoes, as laying a foundation for effecting the grand object of the Brigadier, which was, to separate the First and Third Commissioner, and interrupt the cordiality that subsisted between them, as the best means of overthrowing the Commission, and again vesting the power in the hands of the former Governor.

Commodore Hood, from the moment of his arrival in Trinidad, though apparently civil, and inclined to keep on intimate habits with Colonel Fullarton's family, still, on business matters, neither his conduct nor manners were satisfactory; but while this did not include any expressions unbecoming one Gentleman to another, in Colonel Fullarton's presence, he was determined not to give General Picton an opportunity of gaining his object of introducing alienation, and therefore Colonel Fullarton resolved to agree to every arrangement proposed by the Commodore, who very early took upon himself to settle when the Commission should meet to do business, and how the whole affairs of the Colony were to be carried on. It was known at the Public Secretary's Office, that secret meetings were held at General Picton's house, where the Commodore went to consult with him, previous to Colonel Fullarton's joining them in Commission. The inexplicable change in the Commodore's sentiments, on the subjects of White Settlers, commercial interests, arbitrary banishments, and imprisonments at the instigation of the Brigadier, are fully discussed in their proper place.

modore:

modore Hood and General Grinfield did not land at Port of Spain till the 22d of February.

My avowed object had been to avoid all retrospect. I had carefully abstained from all comment, either of panegyric or of accusation, on the events which were past, and I had strenuously laboured to reconcile all differences, and to unite all descriptions of persons in cordial co-operation for the future welfare of the Colony. Whoever reads these papers, and the testimonies produced in support of them, will most assuredly admit, that I did not in any instance overlook his severities after they came under my notice: that my reconciliation on the 14th of February, was at a period when I had no other knowledge of his cruelties than what arose from the inspection of the jail: from the remarks of Mr. Beggurat in defence of torture to extort confession, and the list presented to me by the executioner, which however by no means implied that any person had suffered without some kind of trial, although contrary to the forms and spirit of the English law.

My ignorance of the various atrocities which had occurred, arose from the system of terror, which, at one time, had almost shut every mouth, and from my rejecting all accusations of the former Governor:

So far from having done any thing that could be construed into overlooking or compromising these atrocities, I constantly desired all persons who brought forward complaints preceding that period, to address themselves to His Majesty's Ministers.

My determination to look forward, arose from my conviction that it was the wisest plan for the future welfare of the Settlement. As soon as the extent and nature of the enormities committed by the Brigadier were fully known to me, I should have considered it as a base dereliction of my public duty, if any consideration on earth had induced me to overlook them, or to concur in sanctioning past aggressions, by continuing the same system of oppression and severity\*.

It is true, that Mr. Beggurat afterwards laid before me, and discussed at great length, the proceedings of a Special Commission, of which he was President, for the trial of six slaves belonging to Baron Montalembert, who were accused of poisoning. I also was informed of

\* It has been stated, that Colonel Fullarton never interfered with the Brigadier's atrocities until they had a personal quarrel: in answer to this, it is sufficiently obvious, that this very personal quarrel, as it is called, originated wholly in Colonel Fullarton's attempting to introduce some degree of amelioration of the severity exercised under the Brigadier's system, such as, reforming the abuses of the jail, restraining undue punishments, and, last of all, permitting a person to come to the Colony, for a single week, to settle her affairs, against whom no just grounds of exclusion had ever been proved. These were the causes of offence which led the Brigadier publicly to outrage the First Commissioner, and this, in the progressive course of the General's violence, led to those future events, which of necessity have produced the present serious investigation, so highly important to the national honour and character.

another

another Special Commission, of which Mr. Sargent was President, for the trial of various mulattoes, free negroes, and negro slaves, accused of witchcraft, sorcery, divination, and poisoning. The individuals who had been tortured, condemned, mutilated, hanged, beheaded, and burned alive, under this Commission, are specified in my Minute, dated the 19th of March.

After the 24th of March, I never had any intercourse with either of my Colleagues. Twelve days before, I had informed them of my intention to proceed upon the survey of the Island. My departure had been deferred in consequence of the Minute which B. G. Picton presented to the Council on the 17th of March, clearly proving that I must either concur in perpetuating his oppressive system, or encounter all the emanations of his insolence.

See my Letter to the Commissioners, dated the 12th of March, and their answers.

In the course of ten days from that period, such a mass of criminal information had been received, adjusted, and legally authenticated, as had never been charged against any individual under the British Government, and as induced B. G. Picton to declare, in a libellous production, that the labour evinced in the compilation and arrangement, must have occupied my whole attention from the first moment of my landing on the Island.

From the 24th of March, the Brigadier, triumphant in the ascendancy which his machinations and superior energies had assumed over the Commodore, no longer restrained himself within any bounds, but gave full scope to the ungovernable violence of his nature.

Commodore Hood having been absent from the opening of the Commission on the 4th of January to the 22d of February, had given me no assistance in that arduous period. He had no personal knowledge of the incidents which had occurred, when B. G. Picton read a Minute in Council on the 17th of March, not only containing expressions highly unbecoming and inadmissible, towards me, but an avowed determination to persist in, and justify a system of cruelty and oppression. The Commodore heard it without expressing a single sentence of dissent. From the 24th of March, however, when I read my answer to the Brigadier's Minute, and my exposition of his system of severity, the Commodore seemed more than ever devoted to his cause. An observation of his, on another occasion, stating that he understood it to be the intention of Government that the two Commissioners sent out were intended to screen B. G. Picton \*, can alone account for this part of the Commodore's conduct.

From that day till the hour of his departure, he joined in a series of transactions, which his own reputation requires that he should justify before the Tribunal of his Country.

\* Commodore Hood stated the enumeration of imputations contained in Colonel Fullerton's Minute read in Council on the 24th of March, to be "a Libel on His Majesty's Ministers." Colonel Fullerton humbly conceives this observation of the Commodore's to partake much more of that character.

The

See B. G. Pic-  
ton's Minute  
read in Council  
on the 17th of  
March.

The Brigadier had moved that all the Criminal Records should be sent to England for your Lordship's inspection: as no mention was made of taking or preserving copies, it seemed that the intention was to send off these documents, and to contrive that they should be lost, and leave no trace of them upon record. Of course I was desirous of knowing their contents. With this view I directed Mr. De Castro, Keeper of the Archives, a Regidor, and Member of the Cabildo, to shew me all the criminal processes in the usual form, as he had constantly done to B. G. Picton, and to every Member of Council. These Papers were under my inspection when Mr. Beggorat applied to Mr. De Castro for the criminal process against Carlo Gonzalez, in which he wished to insert some alterations, but finding it was in my possession, he stated the circumstance to the late Governor. On the 28th of March, Messrs. Picton and Hood formed themselves into an extraordinary meeting of Commission in Council. It is to be observed, that no notice was given to me, although I was in Port of Spain, consequently all the acts were illegal; and carried nullity on the face of the proceedings. On this occasion, however, they were pleased to summon Mr. De Castro before them, to insult and outrage him, for having given me access to the Archives, after which they deprived him of his offices, and sent him prisoner under charge of Mr. Black, a Member of Council, who, having been present, must have known the illegality of the meeting.

This appeared an obvious and outrageous endeavour to terrify the Spaniards and other foreigners, from giving any information unfavourable to the Brigadier.

See declaration  
on oath by  
Messrs. Adder-  
ley, Burke, Hill,  
Mackenzie, and  
Vint, dated 29th  
of March.

The arrest of Mr. De Castro, was communicated to me while sitting at table, in my own house, with a large company. I went immediately to Mr. Black's, and happening to be in full uniform, of course I had on my sword, and had a stick in my hand, which I have used for many years. I was accompanied by Mr. Adderley and Mr. Burke, and followed by Messrs. Hill, Mackenzie and Vint. This was a fortunate circumstance, as the declarations of these Gentlemen on oath, have completely exposed one of the most unqualified fallacies that has ever disgraced the Minutes of any Council; for it pleased Mr. Black and Mr. St. Pé to declare, that I entered armed with a sword and supplejack to menace the judge, and to rescue Mr. De Castro\*: that I threatened the Judge with the gallows, while a person across the street was induced to represent me as expressing myself in an almost unintelligible jargon of barbarous French, that I would hang every

\* Colonel Fullarton's conversations with Colonels Clarke and Grant, in consequence of the arrest of Mr. De Castro, have been stated by General Picton as indicating an intention on his part to call out the Militia for the purpose of rescuing Mr. De Castro, whom with the utmost ease he could have taken from the house of Mr. Black, when there in the evening, accompanied by the five Gentlemen already named. Colonel Fullarton, however, declined doing so, stating, that he would hold Mr. Black responsible for Mr. De Castro's safety.

body,



body, "*Pend tous*," and that she understood I meant to hang De Castro.

The particulars of these disreputable fabrications are expressed on the Minutes of the Trinidad Council. The refutation of them is contained in the declarations on oath of the five respectable Gentlemen already cited, and in the contradiction obtained from Mr. Black himself, who was actually under interrogation in Council on the 18th of July, when Brigadier-General Hislop's arrival was announced, and interrupted the examination; and my departure forty-eight hours afterwards, prevented Mr. St. Pé from undergoing a similar investigation.

See examination of Mr. Black, on the Minutes of Council, dated 18th July.

Referring your Lordship to these and other accompanying documents, I shall only add on this point, that not one of the thirty-six criminal processes, except that of Louisa Calderon, contained a single fact connected with any of the imputations or charges which I brought forward against the late Governor, and that they were safely restored to Mr. De Castro as soon as circumstances permitted after my return to Port of Spain, when he was a free agent, and in a condition to be entrusted with official and important papers.

Next day\*, I embarked on board the Government schooner, *Start*, in order to proceed on the Survey of the Island, to enable me to make my Report, accompanied by Messrs. Vargas, Hill and Vint; but in the first place to put Mr. Adderley on board the *Lemlair*, then laying at Union Island, one of the Grenadines, and ready to sail for England. My object was, that Mr. Adderley might convey to your Lordship a

\* It is particularly necessary to state the dates and circumstances of Colonel Fullarton's embarkation in the *Start* schooner. He went on board on Wednesday the 29th of March; but was prevented from sailing by General Picton and Commodore Hood, till the 1st of April; the Naval Commander having declared, that he would take or sink the schooner if she ventured to stir without the signature of two Commissioners on the Register: at the same time the Brigadier and Commodore resisted every effort on the part of the Owners and Captain, and refused to sign their names, during which delay they knew the person placed at the head of the Government was detained in the bay in view of the whole Colony. On the 1st of April, however, Colonel Fullarton sailed, the junior Commissioners having found themselves under the necessity of arranging matters with the Captain, who entered a protest against them for arresting his vessel. On the 2d of April the Brigadier and Commodore wrote a joint letter to Lord Hobart, announcing that the First Commissioner had sailed from Port of Spain, after having, as they state, committed such a number of extraordinary acts since the date of their last dispatch of the 28th of March, as induced them, it appears, to make a charge of insanity against him. Colonel Fullarton, however, must have made ample use of one day for such variety of unprecedented conduct; as, though he embarked on the 29th, the day after their former letter, and did not sail until the 1st of April, the two Commissioners perfectly well knew that he remained on board the *Start* schooner the whole intervening time, while they thought proper to prevent his departure. This single anecdote is sufficient to prove what unworthy arts were resorted to, in order to deceive Ministers by the grossest misstatements, and which appear to have produced more effect than could have been easily supposed.

D

full

full exposition of the unjustifiable acts of the other two Commissioners, and a detailed official account of all my proceedings.

From Union Island, after Mr. Adderley's departure, I sailed for St. Vincent's, in quest of General Grinfield, and missing him there, expected to find him at Dominique, visiting Martinique in my way, and afterwards touching at Guadaloupe: from whence I returned to St. Vincent's, to take on board Dr. Anderson, the celebrated naturalist, who, from thence, had the goodness to accompany me on the survey of Trinidad.

Here it is material to observe, that the King's Instructions expressly required me to survey and report upon the situation of the Island. That the Commissioners were ordered not to return to Europe on any pretence, without previously obtaining His Majesty's permission; but that no restrictions whatever were laid on any one of the Commissioners, from using his discretion individually in moving from one part of the Island to the other, or from visiting any of the adjacent Settlements, as health or business might require. Indeed the Instructions made particular provision for the exercise of this discretion. Commodore Hood had remained absent as long as he judged expedient, without offering any explanation, or asking permission from his Colleagues, who were not vested with powers either to grant or to refuse him such permission. To maintain the converse of this proposition, would imply an absolute ignorance of the relative situations and duties of the Commissioners, and of the Instructions under which they acted. It could only have been attempted as a feeble contrivance to palliate the violations which were committed against the King's Authority. In addition to these remarks, I have to add, that neither the other two Commissioners nor the Council ever expressed any dissent or objection to my intended departure, although officially communicated to them by me on the 12th of March, and repeated on the 24th of the same month.

See the Instructions, dated 13th October, 1802.

See Letter from the two junior Commissioners dated the 14th of March 1803.

See Address of the Merchants and inhabitants to me, dated June 1803.

Indeed, in one of their Communications, the two Commissioners seemed by a query to intimate a doubt of my right to move from one place to another, or to write a letter without their leave; and, in a subsequent Note, seemed to reproach me for having deferred my departure. The principal body of Merchants in Trinidad, afterwards expressed their highest approbation of the period which I chose for proceeding on the Survey; declaring in their Address, that they attributed to that measure the tranquillity which the Colony had continued to enjoy. I may farther venture to affirm, that my opportunities during that period of obtaining local acquaintance with the regulations, interests and relative situation of the different Colonies which I visited, have proved of material advantage to me in preparing the Report.

After

After my embarkation on the 29th of March, the Brigadier and Commodore thought proper to arrest and detain me for three days in the bay, threatening to take or sink the schooner, if that vessel sailed without the signature of two Commissioners upon the Register. The outrages committed on that occasion are stated in my letter of the 23d of May, addressed to Commodore Hood, now before the Privy Council. The facts are ready to be verified by the declarations on oath of Mr. Adderley and Mr. Burke, who are now in this Country, and by those of Messrs. Dickson, the Owners, and Captain Marsden, the Commander of the Start schooner.

See Letter to  
Commodore  
Hood, dated 23d  
of May 1803.

At length the apprehension of consequences from the protest of the Owners, communicated by a Notary on the 1st of April, impelled the two Commissioners to sign the Register, and we sailed that day.

From that period till my landing at Port of Spain, on the 17th of June, my absence precluded me from means of communicating to your Lordship the proceedings that occurred. The outrages to Mr. Burke and Mr. Proby; the imprisonment of Dr. Timbrell; the illegal manner in which the banishment of Mr. Macallum was conducted, and other numerous aggressive acts of this period, for which the two Commissioners have been arraigned, are ready to be verified in evidence before the Privy Council.

At that time there was not any official person in the Island, who, in my absence, durst have ventured to transmit to England, statements or representations unfavourable to the acting Government. The Post-office was in the hands of B. G. Picton's emissaries or adherents; and few letters were suffered to reach their destination, either to, or from, any of the persons confidentially connected with me. The reign of terror was re-established, and illegal imprisonments and mutilations re-commenced. Dubois, and many other material witnesses, are stated to have been banished\*.

The displeasure of the Brigadier was most unequivocally marked towards every individual who presumed to hold any intercourse with my family; insomuch that Mr. Le Thè, a respectable French gentleman from Martinique, was threatened with banishment, because Mrs. Fullarton happened to call for a Lady who lived at his house.

After meeting with the most flattering marks of attention and regard in the different islands which I visited, and completing the circuit and survey of Trinidad, the Start schooner sailed for Barbadoes, and

\* A slave of Dr. Shawe's was cruelly mutilated by order of the Brigadier; and on his master's refusing to pay a sum for his release, the unhappy victim was left to languish in jail. Madame Sophie Ventouse, a Frenchwoman, was banished by the Brigadier, with the concurrence of the Commodore; to whom he said, in presence of Mr. Adderley and of Madame Ventouse, "I banished that woman before, and now she has returned." She replied: "Non, mon General, c'est faux; vous ne m'avez pas bannie mais vous m'avez si maltraité, que je me suis bannie moi-même."

See Letter to  
Lieut.-General  
Grinfield, dated  
23d May, and  
Letter to Com.  
Hood, dated 24th  
May; also the  
Commodore's  
Answer, dated  
18th June.

reached Bridgetown in the end of May. I forwarded immediately to Lieut.-General Grinfield a Letter, dated the 23d of May, in which I explained to him the conduct and aggressions of the Brigadier. I had also addressed a Letter to Commodore Hood, dated the 24th of May, in hopes of delivering it, and obtaining an Answer in person at Barbadoes; but finding he had sailed upon a cruize, I transmitted it to him afterwards from Trinidad, with a Postscript. Those Letters, and the Commodore's Answer, are subjoined.

My object in going to Barbadoes, was to obtain possession of the Dispatches expected from your Lordship, and which I knew would be with-held from me, if they fell into the hands of B. G. Picton.

On reaching the road of Bridgetown, Captain Blackburn, commanding the mail-boat with Dispatches from England for Trinidad, was under weigh. He came on board the *Start* schooner; and on my requisition, he remained till I obtained permission from Lord Seaforth to have the Mail opened, and the Dispatches delivered to me. By these means I gained possession of your Lordship's Orders of the 23d of April, expressing that the King had been graciously pleased to accept of B. G. Picton's resignation; approving of the arrangements proposed by the First Commissioner for the establishment and benefit of White Settlers, and specifying the powers and authorities vested in the First Commissioner.

I communicated the contents to Lord Seaforth and to General Grinfield, dispatched a copy to Commodore Hood, retained another for myself, and transmitted the original by Captain Blackburn to B. G. Picton; I also wrote, informing Colonel Hope, who commanded the Regular Troops in Trinidad, and sent a copy to Colonel Grant, who commanded the Militia.

Previous to my arrival at Barbadoes, I had received information of different proceedings, and some extraordinary Documents, proclaimed and published by the Brigadier and Commodore, and by the Alcaldes, Black and St. Pé.

See the Pro-  
clamation of  
Messrs. Picton  
and Hood, dated  
27th April; Ad-  
vertisement of  
Messrs. Black  
and St. Pé, re-  
specting the Cri-  
minal Records.

On the 27th of April \* the two Commissioners issued a Proclamation, declaring that I had absented myself from my duties against the King's Orders, and without giving any information to the Commissioners; and, farther, declaring me to be considered as no longer officiating, and directing all the inhabitants of Trinidad to conduct themselves accordingly.

\* On the 29th of April, the Brigadier ordered the sentry to be withdrawn from Colonel Fullarton's residence when he was absent, and the ladies only at home. He likewise threatened the people at work, employed to fill up with earth some ravines made round the house to carry off the stagnated water; commanding them to desist on pain of being sent to prison; and made a couple of carts with materials for the above purpose, be unloaded in sight of the front gallery where the ladies were standing, having been attracted there by the loud vociferations of the Brigadier.

Mr.

Mr. Beggorat, whom I had accused in Council, of applying the torture to Louisa Calderon, by order of the late Governor, was dispatched across the Island, with a posse of persons in his interest, to obtain signatures for an address, offering thanks and a sword to the Brigadier, and to excite the Commandants and inhabitants to resist my landing, in different parts of the Island. In this last endeavour they did not succeed, for in every direction not immediately within the influence or apprehension of the Brigadier, the Gentlemen who accompanied me will testify to your Lordship, the marks of attention and regard with which I was received.

After issuing the Proclamation in question, and vesting all powers of Government solely in the hands of B. G. Picton, Commodore Hood sailed from Trinidad, and never afterwards returned. It has been stated to me, that he gave an order to the Officer commanding one of His Majesty's armed brigs in the Gulf of Paria, that he should obey such instructions as he might receive from B. G. Picton. This will be verified by Captain Humble, of the ship Cumberland, by the Harbour-Master of Port of Spain, Mr. Jacobs, and by another Officer. After the Commodore's departure, the Brigadier directed the Lieutenant commanding the brig, that whenever the Start schooner should arrive in the bay, he was to seize the vessel, and detain me prisoner. Although at that time no Declaration of War had been intimated, the Brigadier laid an embargo on all vessels at anchor. He issued Garrison Orders and Militia Orders, and an Order for Martial Law to be in force on the firing of three guns. It was expected that, after the Survey of the Island, I would immediately return to Port of Spain; and it was generally understood that all these Orders were contrived for the purpose of arresting and detaining me. They were all frustrated, however; for instead of anchoring at Port of Spain, and proceeding by violent measures to re-assume the Government, I sailed from Point Icaque, across the Gulf of Paria, directly for Barbadoes.

See Minute of Council, respecting an Embargo; Notice to the Custom-House; also Garrison Orders and Militia Orders, and intimation, directing Martial Law to take place on the firing of three guns.

On receiving, at Bridgetown, your Lordship's Orders, dated the 23d of April, I informed General Grinfield, that, in the event of B. G. Picton's offering any resistance on my return to the seat of Government, I was determined not to hazard the tranquillity of the Colony, by attempting to enforce a landing, and that I should leave the question of any such resistance to be adjusted by General Grinfield, as a mere point of military power and aggression.

On the 1st of June we left Bridgetown, and after passing round the eastern side of Trinidad, and inspecting the Settlements in the vicinity of Point Icaque, Point de la Brae, Naparime, and Petit Bourg, we anchored off Port of Spain on the 6th of June, under the immediate protection of Captain Columbine, of His Majesty's ship Ulysses.

Ulysses. The attentions which that able and honourable Officer marked to my family during my absence; the security which his presence afforded them, and his conduct on my return, proved that no interest or consideration could deter him from supporting the King's Authority, and prevented a scene of confusion and bloodshed, which General Picton and some of his adherents had prepared.

It will be proved in evidence before the Privy Council, that military arrangements for resistance and attack were made, in the event of my attempting to land. Orders for the distribution of the troops were issued; ball-cartridges and ammunition were prepared: the sentinels on the wharf and other places were directed to stop and inspect all boats whatever, and to resist me if I disembarked. In fact, they did, in an unprecedented manner, endeavour to stop and search boats belonging to the King's ship Ulysses; and Mrs. Fullarton was only permitted to visit me on board under the protection of Captain Columbine.

See Letter from Brigadier-General Picton, dated 6th of June; also Minutes of Council, dated 3d and 6th of June.

Proclamation of the 27th of April.

However incredible these facts may appear, the General put all difficulty of proof respecting his resistance of the King's Orders entirely out of the question; for, on the 6th of June, he sent on board the *Start* schooner, Brigade-Major Pitman with a Letter, signifying his determination to resist my landing, and enclosing copies of the Proclamation of the 27th of April, and of the Minutes of Council of the 3d and 6th of June.

It can be proved in evidence, as I am confidently assured, that orders of resistance were issued to the Gunner of the *Sea Fort* at the wharf. The Gunner, when immediately afterwards interrogated by the Harbour-Master, if he would obey the orders to fire on me, declared that he must of course obey them, or else he would be hanged; but, that as he did not wish to hurt Colonel Fullarton, whose character he respected, he would take care to fire over his head.

See Letter to Brigadier-General Picton, dated 9th of June. Proclamation signed W. Fullarton, dated June.

All these machinations, however, were frustrated. On the 9th of June I wrote to B. G. Picton, and enclosed copy of a Proclamation prepared by me, contradicting the mistatements in the Proclamation of the 27th of April. The letter was delivered by Mr. Hill.

Thus the Brigadier was disappointed, in his expectation that I would exhibit any indication of using force, and thereby enable him to render the Colony a scene of civil warfare, and in the moment of confusion contrived by himself, devote to massacre every individual capable of exposing his delinquencies.

It was intended that all this should have been represented at home as the unavoidable consequence of my violence and insanity, and that the numerous individuals who were marked out for destruction, should have been stated to have fallen a sacrifice to the generous resentment of the better order of virtuous inhabitants, indignant at any imputation

tion being thrown upon the character of their late *meritorious* Governor; who has been described to your Lordship, by some of his adherents, as the saviour of the Island.

The plan of this intended catastrophe was contrived, and the scheme of justifying it was prepared, immediately after my Minute containing imputations against B. G. Picton, was read in Council on the 24th of March. Your Lordship received letters from the other two Commissioners, dated the 24th and 28th of March, and 2d of April; charging me not only with every vehemence and outrage, but with direct and serious derangement of intellect. Your Lordship and His Majesty's Ministers, deceived by these impositions, proceeded to make arrangements in the same manner as if my Colleagues had stated me to have been actually dead.

See Letters from Messrs. Picton and Hood to Lord Hobart, dated 24th and 28th of March, and 2d of April.

The charge of mental derangement must be judged of by my conduct, correspondence and proceedings; but the fallacies contained in these documents will be exposed in regular course. The letter of the 2d of April, signed by Messrs. Picton and Hood, exhibits the singular incident of an official communication, addressed to a Secretary of State, from two Officers in confidential situations, and holding the character of Gentlemen, in which, with the exception of a single phrase, expressing their opinion of Mr. Woodyear's merits, every sentence contains assertions of facts, proved by indisputable evidence on oath to be direct mistatements.

From the 6th of June, I was employed in receiving such of the respectable inhabitants as durst venture to incur the Brigadier's displeasure, by visiting me on board. I also accompanied Captain Columbine to inspect the Island of Gaspar Grande, the Carenage, Chaguramos, and all the adjoining situations, in order to ascertain the measures necessary for the arrangement and defence of these positions, so important in a naval and military point of view. The drawings, survey and report of Captain Columbine are executed in a style of superior ability, and will convey to your Lordship and His Majesty's Ministers, the most correct and interesting information.

Several incidents on this subject are mentioned in the postscript of my letter to Commodore Hood, dated 24th of May.

See drawings, survey and report, by Captain Columbine.

On the 14th of June, the Nelly brig arrived from Barbadoes with Brigadier-General Frederick Maitland, Quartermaster-General on board. He brought an order from Lieutenant-General Grinfield, to relieve Brigadier-General Picton, and to take upon himself the military command in Trinidad.

In the ensuing night B. G. Picton secretly embarked on board the Nelly, and sailed under cover of the darkness. It will be proved by evidence at the Bar of the Privy Council, that the multitudes of individuals whom he had personally aggrieved and outraged, rendered it unsafe for him to embark by day-light, or to hazard himself in the Colony one moment after he was directed

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of authority. Next day, the 15th of June, Brigadier-General Maitland informed me by letter, that he had assumed the command; that he was directed to consider me as First Commissioner, and invited me to go on shore and to re-assume the Government. This, however, I declined to do until the aggressions committed by B. G. Picton, as Military Commander, were explained to his successor, whose partiality to him was fully known to me, he having been the person generally understood to have recommended that Officer to Sir Ralph Abercromby for the command of Trinidad, when it was declined by the Honourable Colonel Hope, immediately after the capture of the Island. On the other hand, it was requisite for me, on every principle of public service and personal character, by unequivocal explanation to guard against new acts of illegality and aggression on the part of the Military Power; before I ventured again to engage in the exercise of civil duties on shore.

See Letter from Brigadier Frederick Maitland, dated 15th of June; Letters to Brigadier Frederick Maitland, dated 15th and 16th of June.

After a detailed explanation on my part, followed by a Letter from Brigadier-General Maitland, and by urgent application from numerous and respectable inhabitants, who seemed apprehensive of great danger to the public welfare, if the Government were suffered to continue under the Military Commandant, I landed on the 17th in regular form from His Majesty's ship Ulysses, accompanied by Captain Columbine.

In order to prove the approbation of the Mercantile Interest, all the vessels in the Road did me the honour to hoist their colours, and send their boats to escort me to the Mole. I believe with the exception only of Captain Ronhine of the Albion, stated to be under the influence of Mr. Gloster. On my landing I was received in the most gratifying manner by all descriptions of inhabitants, civil and military, excepting ten Members of the Cabildo and four Members of the former Council, with a few other adherents, exclusively devoted to the cause of General Picton. It is true, as the Brigadier has stated, that the people of colour, and the black population, did express the strongest demonstration of their satisfaction on my return, insomuch that it required my own personal interference and positive injunctions to prevent a general illumination, which is highly dangerous in a town entirely built of wood. But it is not true, as insinuated by the Brigadier, that the other classes of the community gave me less favourable testimonies of their approbation and regards.

These trifling incidents are mentioned to repel the misrepresentations on this subject, stated in a libellous production prepared for circulation by Brigadier-General Picton, and already cited.

My first object was to summon the Members of the Council to assemble on the 20th of June. Mr. Nihel, the Senior Member, attended, and continued to act; he had been appointed Chief Justice

See Letter to George Unwin, Esq. dated 20th of June, signed by Messrs. Black, Lighthouse, Beggarat and Gloster.

Justice by Sir Ralph Abercromby, and had protested against the late violent measures of resistance on the part of the Brigadier in Council.

The other Members, in a letter to the Clerk of Council, Mr. Unwin, dated 20th of June, signified their joint refusal to act, and specified their reasons. Mr. Woodyear did not sign that paper, but sent a letter to me, intimating his resignation as Secretary to the Commission. This, however, I declined to accept, and referred the matter to your Lordship\*.

Another Council was immediately formed, consisting of Mr. Nihel, Sir James Bontein, Mr. Rigby, Colonel Rutherford (the Surveyor-General), Mr. John Smith, Mr. Wilson†, who, with Mr. Nugent, absent in England, completed the number, until your Lordship should signify the pleasure of His Majesty. These Gentlemen, I mean the six who were present, were men of colonial experience, and distinguished for principles of moderation, on which they had invariably acted.

From the first moment of their nomination they dedicated their whole time and attention to the great objects of restoring confidence, promoting prosperity, and providing for the internal safety of the Colony. Your Lordship's letter announcing the declaration of hostilities with France, rendered preparations for military defence the primary consideration. Arrangements were made for increasing the Militia in every direction: The German Settlers were formed into a Corps of Yagers, under Major Mackenzie. A large force of Sea Fencibles was organized under the Harbour-Master, Major Jacobs, and consultations were held in what manner to procure a sufficient force for gun-boats. The Colonial Artillery was increased. We took the opinion in Council, verbally and in writing, of Brigadier-General Maitland, and of the Chief Engineer, Colonel Shipley, and in every instance determined to carry into effect the arrangements concerted with them. Brigadier-General Frederick Maitland desired that, in the event of the Island being attacked, I should agree to give up all command of the Militia to him. Although I was an officer of senior army rank, and had been employed in a course of service neither less considerable nor less successful, I did not make any observation on this requisition, however extraordinary it might appear to me.

\* Colonel Fullarton declined to accept Mr. Woodyear's resignation, tendered upon his return to Port of Spain, as this disreputable and improper character had been reinstated by Lord Hobart's Order of the 23d April, in his situation of Public Secretary, which he has proved himself unqualified and unworthy to have ever filled; indeed it was mortifying to observe the contemptible light in which Joe Woodyear, as he is called, was held all over the West Indies; and it certainly did not tend to increase consideration for the Trinidad Commission, his holding so distinguished a place in it. A respectable Gentleman in Tortola, mentioned having witnessed Mr. Woodyear's being publicly kicked and cuffed on the landing-place of one of the Islands, where this Gentleman interfered, to rescue him from such degradation; and Mr. Woodyear gladly took refuge in a hut till his assailant was got out of the way.

† Brother to the Commissioner for Army Accounts in the West Indies.

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See my Letter to Lord Hobart, dated March; also see my Report on Trinidad.

See my Report.

See the Instructions to Commandants of Quarters, dated June. Instructions for the Harbour-Master, and vessels in the Road; also Regulations for the Fire Engine Corps, and for the Police and safety of the Town, under the Alcaldes de Barrios, or Town Magistrates, and under the Chevalier de la Sauvagesse, restored to his duties as Intendant of Police, to which office he had been appointed by Sir Ralph Abercromby, but prevented

These Officers required 400 pioneers, in case of emergency, and this number was immediately voted in Council, and at my request Colonel Rutherford undertook the command of them. Brigadier-General Maitland required 200 Colonial Negroes to complete the defences ordered by General Grinfield, in the neighbourhood of Chaguramos and of Gaspar Grandé. The Council granted 250 negroes for the service in question, and I added a condition, that proper sheds should be erected over a watering place to be prepared at the harbour of Chaguramos, to protect the seamen from the dangerous effects of the sun and rain, when employed on the tedious and fatiguing operation of watering ships of war and merchant vessels. For by the careless and unskilful arrangement of this service, many valuable lives are lost in the West Indian latitudes \*. I also adopted every measure in my power to form an efficient Medical Board, and to call forth the best exertions of skilful practitioners by the incentives of applause and reward, to contrive some more successful means of preserving seamen, soldiers, and inhabitants, from the ravages of disease, and climate, too frequently rendering those Islands almost untenable by Europeans. In conjunction with Mr. Vargas, Dr. Anderson, and other scientific men, I had prepared the plan of a society for diffusing a spirit of inquiry, and collecting information on the various objects connected with natural history, mineralogy and botany, chemical researches, and agricultural improvements in Trinidad; with Corresponding Members in all parts of South America, and in the Spanish, French, and English Settlements. I had also collected every useful plant that could be procured from Europe, from the East Indies, Madeira, the Canaries, South America, and the West Indian Islands. All this was effected without expence to Government.

The accompanying Instructions will prove to your Lordship the attention paid to the safety, police, and regulations of the Town and of the Colony.

The consideration of means for rendering efficient the collection of the  $3\frac{1}{2}$  per cent. duty, was another object which commanded very earnest attention in the Council. Measures were concerted with Mr. Collins, the Treasurer, for preventing the evasions of the duty which had been suffered during the preceding Government. In order to prevent any complaint on the part of the mercantile interest, a deputation from that respectable body was heard in Council, and the matter discussed at full length, and I assured them, that whatever statements they thought requisite to urge, or whatever amendments to propose, I would faithfully transmit them to your Lordship. But that to me

\* An hospital had been formed at Port of Spain, under the auspices of Governor Picton, where sick seamen from the merchant service might be received, on paying about three dollars daily. Of course no one with less means than almost the whole amount of a Field-officer's pay, could derive benefit from this institution.

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it appeared evident that the established duty of  $3\frac{1}{2}$  per cent. was more advantageous to the Colony, and less severe on individuals, than any other mode that was likely to be substituted. We determined also to appoint Inspectors of all vessels, and to give powers to the Treasurer to insist not only on the production of the manifest, but of the bill of lading, from every ship, without any exception whatever.

Very soon after my first arrival in the Island, arrangements had been made, and orders issued, to provide for and encourage the increase of the white population, and for completing the surveys of the districts of the Carony and Chaguramos. These orders were renewed and urged to the utmost of my power.

Plans were encouraged for facilitating and increasing the means of procuring subsistence. Odious preferences granted to men in power, and other privileged persons, were withdrawn. Every individual in the Settlement was allowed to purchase without partiality. In the month of March 1803, I transmitted to your Lordship proposals from men of great responsibility in South America, for supplying the Navy and Army with provisions, one hundred per cent. cheaper than, I believe, has ever been effected in the West Indies. The extraordinary losses and defects connected with the ruinous and fraudulent system of exchange, coin and currency, were also fully considered; but as they involved questions of great delicacy, complication and importance, affecting not only the Island, but the relative concerns of other Settlements, no efficient measures could be hazarded, until my Report should be before your Lordship for the determination of His Majesty's Ministers.

From the first moment of my appointment, I had felt it to be my duty to study all the Spanish law books of authority, and to seek every opportunity of consulting with professional men of learning on these subjects.

Unfortunately, the Municipal Tribunal of the Cabildo, including the Alcaldes, did not contain one lawyer of any country, except the Escrivano and Keeper of the Records, Mr. De Castro, by birth a Spaniard. Messrs. Portel, Farfan, and Indave, were the only other Members of the Cabildo of that Nation. Messrs. Beggorat, St. Pé, and De Gourville, were Frenchmen. Messrs. Williams, Handley, and Harrison were Englishmen. These persons were all Planters, Merchants, or Physicians; Mr. Black was an Irishman, Merchant and Planter, and acted as the First Alcalde. He was nephew to my old and valuable friend, the celebrated chemist and philosopher, Dr. Black, and had been noticed for good conduct and assiduity under Lord Macartney's Government in Grenada. These circumstances occasioned a strong partiality in my mind towards him, and his experience in Colonial transactions was of course considerable; but his good conduct

duet under Lord Macartney arose from the character of that great and distinguished Governor, under whom there could not be any hopes of favour but by shewing zeal, ability, and correctness.

The same Mr. Black in the hands of B. G. Picton, became one of the chief instruments of injustice, terror, and oppression.

See my questions proposed to the Cabildo, and the answers; transmitted to Lord Hobart.

From a Tribunal so constituted, no information could be obtained, but of a negative nature, of all that ought to be avoided in judicial practice. Your Lordship will recollect that I transmitted questions addressed to the Cabildo, and their answers, in proof of this remark. As B. G. Picton had disgusted, or banished from the Island, the Assessor of the preceding Government, Don Joseph Gu-rado, he had also repelled every other person belonging to the profession of the Spanish Law. The English Attorney-General, Mr. Gloster, declared himself totally unacquainted with Spanish Jurispru-

See Case of Russell Minchin, Esq. before the Privy Council; also Case of a Spanish Lawyer, from Cumana, banished by Governor Picton.

dence. Mr. Russel Minchin, and, as far as I know, every other English lawyer had, on some pretence or other been banished, with the exception of Mr. Hayes, and Mr. Proby, two professional gentlemen of excellent character and ability, very recently arrived in the Colony. Mr. Knox was appointed to act as sole Notary Public, and enjoyed the immediate and exclusive protection of the Brigadier. Under these circumstances, I had the good fortune to be aided by the professional advice of an able and intelligent Spanish lawyer, Don Pedro Vargas, who, in addition to general science and deep legal knowledge, possessed great practical acquirements, having been Secretary with three Viceroys in the new kingdom of Grenada, at Santa Fe di Bagota. He acted as Assessor, or Legal Adviser, with whom I consulted on all questions connected with Spanish Law, which came before me. He also accompanied me on all occasions to the meetings and discussions which I held with the Cabildo. On Monday the 27th of June, I visited that Tribunal, accompanied by Mr. Vargas, and desired that the Members would be pleased to communicate to me the proceedings on their Minutes, or their Acts as they are called, respecting the suspension of Mr. De Castro, Regidor and Keeper of the Records; and likewise the cause of their refusal to permit Mr. Montez to continue to act as Deputy Alguazil Mayor, appointed by George Augustus Adderley, Esq. although Mr. Montez had held the same office under the former Government, with the approbation of B. G. Picton and of the Cabildo. I also required to be informed on what principles Mr. Nihel had been removed from his office as Chief Justice, to which he had been nominated by Sir Ralph Abercromby; and why Mr. Mendez was superseded as a Member of the Cabildo; desiring, at the same time, that those Gentlemen might be restored to their employments, of which they had been unjustly deprived.

See Minutes, or Acts, of the Cabildo, in March, April, May, and June, 1803.

To all these positions the Cabildo refused their assent, and with great

great reluctance and embarrassment, on my urgent requisition, produced their act respecting Mr. De Castro. By these Minutes, for the first time I discovered that the majority of this judicial body, led by Messrs. Black and Beggorat, and devoted to the system of B. G. Picton, under which their leaders participated in the benefits of unrestrained tyranny, had secretly recorded calumnies which they had carefully concealed from me, and of which they vainly expected I would have remained in ignorance.

A proceeding so illegal and unwarrantable ought at all events to have been followed by the suspension of the individuals guilty of such acts, until the King's pleasure should be signified. For I was President of the Board of Cabildo, and of course to conceal the proceedings of the Board from me was a direct violation of Spanish Law. But I resolved as much as possible to avoid all measures of severity, convinced that whatever disorders might arise from the dangerous misconduct of the Cabildo, ought to be remedied by a formal order from Ministers at home rather than by any strong measure of mine.

By this investigation I discovered that a mass of calumnies and falsehoods unequalled on the records of any regular government, had been entered on the Minutes of Council, during my absence, and transmitted to your Lordship, with the view of repelling accusations and imputations against B. G. Picton.

But Mr. Unwin has been pleased to withhold them, and by so doing, has deprived me of the means of shewing your Lordship, in detail, the proceedings of that period\*. As Mr. Unwin is Deputy to Mr. Chapman, of your Lordship's office, I think it my duty to state this as a regular and official complaint.

On the 27th of June Sir James Bontein sailed for England, and carried with him a number of communications from me, to which I request very earnestly to call the attention of your Lordship, and of the Privy Council; because in my opinion they establish, beyond the power of contradiction, not only the cruelties and turpitude of B. G. Picton, but the numerous illegalities and violations of the King's authority, by Commodore Hood, Messrs. Black, Beggorat, Wood-year, and Gloster. These assertions, my Lord, are supported by indisputable vouchers, ready to be verified on oath before the Privy Council.

See my Letter to Lord Hobart, dated 27th of June; also my Letter to John Sullivan Esq. of the same date, with Schedule of papers transmitted.

As to the twelve Members of Cabildo, Messrs. De Gourville, De Castro, and Indave, are totally free from any imputation on my part.

\* Mr. Unwin, Clerk of Council, being the declared adherent of General Picton, accounts likewise for the strange, unconnected, and disjointed mode in which he has arranged the Minutes, in order, as it would appear, to jumble Colonel Fullarton's Statements, and render them as inefficient and unsatisfactory as possible.

Messrs.

Messrs. Williams, Harrison, Handley, Farfan, and the two Portels, seem incapable of forming or comprehending an opinion upon any legal subject. Under a good government and vigorous Governor, they would not venture to commit any considerable crimes; and under an evil ruler, they seem unconscious of any public virtue.

Messrs. Black and St. Pé, as Alcaldes, and Mr. Beggorat, stand in a different predicament; and it is for your Lordship to determine in what form they ought to be ordered to justify their conduct, and that of the Cabildo.

It gives me great concern to have exposed Sir James Bontein to calumny, by entrusting him with these dispatches.

Unceasing industry has been displayed in attempting to disparage all the individuals who disapproved of the Brigadier's proceedings, or who concurred in those which I adopted. If the faculty of spreading aspersions against others, and of obtaining general testimonies from persons interested, intimidated, or deterred, by his machinations, could do away the mass of specific accusations, judicially verified against him, the Brigadier would indeed appear the meritorious character which he has assumed, for the purpose of imposing upon Administration, and evading justice.

By Sir James Bontein I informed your Lordship, that a multitude of mistatements were entered on the Minutes of Council, and transmitted to you, of which it was impossible for me to furnish the refutation, until I got possession of the copies, in order to proceed in regular form. It would have afforded me great satisfaction, and would have prevented all possibility of unfair impressions from being made upon the minds of His Majesty's Ministers, and the Lords of the Council, if those ex parte communications had not been circulated until they were accompanied by my answers.

In June, I received letters from Mr. Sullivan, and Mr. Adderley, and Major Williamson, the Honourable Brigadier-General Thomas Maitland, and Sir John Hippisley.

By these, I learned the mass of fabulous communications which had been secretly dispatched to your Lordship's office during my absence, and the effects it had produced on His Majesty's Ministers. I was informed, however, that the arrival of Major Williamson and Mr. Adderley in London, had exposed the impositions. I could not entertain a doubt that the detection of the other two Commissioners, in so wild a project of imposture as the official declaration to your Lordship that I was in a state of serious and direct insanity, because I disapproved of B. G. Picton's measures, would sufficiently evince the motives of such aspersions as were circulated, and the characters of those men with whom I had the misfortune to be joined as a colleague.

I had the satisfaction also to learn, that His Majesty's Ministers had resolved to direct a judicial investigation of the charges against B. G. Picton

Picton to take place, and that the parties should return to England for the purpose in view.

As soon as the arrangements for internal regulation and defence were in a state of forwardness, I proceeded to refute by evidence the scandalous mistatements entered on the Minutes while I was absent ; with this intention I examined Mr. Woodyear in the beginning of July, and obtained from himself a complete and specific refutation of his own assertions.

My departure two days afterwards, rendered it impossible for me to proceed farther on the inquiry. I take it for granted, that Mr. Woodyear had made this the subject of a communication to the Chancellor of the Exchequer, as he formally announced to Mr. Adderley, for my information, that he corresponded with Mr. Addington, and transmitted to him accounts of my conduct, with his own remarks. It is not probable, however, that he has furnished any of His Majesty's Ministers with his public recantations on these subjects.

On the 18th of July I examined the Alcaldes, Black and St. Pé, before the Council, respecting their ridiculous declarations that I had menaced them on the 28th of March, and had endeavoured to rescue Mr. De Castro. Mr. Black underwent an investigation of four hours, all of which is stated on the Minutes. At last, while in the act of interrogating him, the arrival of Brigadier-General Hislop was announced ; of course the examination was interrupted.

Brigadier-General Hislop came on shore, and delivered your Lordship's Letter, dated the 20th of May. I opened it, and communicated the contents to him and to the Council. He shewed me his Commission, appointing him Lieutenant-Governor of Trinidad. I had previously received him on his landing with all the attention in my power. Next day was employed in arrangements for his public reception ; and in preparations for my departure with the convoy, which was ordered to sail on Wednesday the 20th. In the morning, B. G. Hislop took the oaths in Council, with the usual honours, in presence of B. G. Frederick Maitland, and a number of the principal inhabitants. Immediately afterwards the Lieutenant-Governor was received by the Colonial Troops under arms, with every demonstration of respect in my power to offer.

In my public address on his reception, after congratulating him on his appointment and safe arrival, I assured him, that the manner in which he had acted at Demerary, rendered the inhabitants of Trinidad sanguine in their expectations of enjoying personal tranquillity, security and good government under his directions. I farther stated, that as the Civil and Military Authorities of all descriptions in the Island were fortunately vested in him, he would meet with no resistance whatever, even from those who had lately been most vehement in opposing

See examination of Mr. Woodyear, on the Minutes of Council dated July ; also Letters from Major Lewis, Col. Rutherford, Major Mackenzie, Lieut. Bing, Mr. Adderley, Mr. Burke, and Major Williamson. See also Declaration signed by Mr. Woodyear, respecting Madame Duval ; his Affidavit contradicting that declaration ; and this afterwards retracted, in consequence of an affidavit by five respectable Gentlemen, likewise inserted.

See Examination of Mr. Black, on the Minutes of Council, dated the 18th of July, 1803. I also exposed the declarations incorrectly entered on the Minutes, respecting secret oaths, erroneously stated to have been administered to Mr. Plat, Mr. Salazar, and Dr. Timbrell. See their Declarations, and those of Messrs Timbrell, Vargas, Proby and Hayea.



opposing the civil powers of Government. I publicly declared to him, that in direct contradiction of the gross mistatements which had been so industriously fabricated of disturbance, there had not occurred a single instance since my arrival in January, neither on the part of Englishmen, Spaniards, French, Coloured Persons, or Negroes, that could justify such unfounded misrepresentations. It is proved by evidence, that from the capture of the Island in March 1797, there never occurred any tumult nor insubordination in the Island. Unless we were to consider as such, the outrageous vehemence of party spirit which had been exemplified by some of those who felt themselves implicated in the charges which I had exhibited. On the contrary, all the endeavours of some desperate individuals connected with the late Council and with the Cabildo, had not been sufficient to excite one act of riot or disobedience; so much were the people of all nations and colours in the Island convinced of my good intentions towards them.

I stated to him, that my determination had been to admit of no change whatever in the established laws and institutions; as the King's Instructions, communicated by your Lordship, directed matters to be conducted under the regulations established at the reduction of the Island, until the Report of the Commission should be received, and until a permanent system should be adjusted by His Majesty's Ministers for the Government of Trinidad.

On this principle, I had not made the most trifling innovation, but had strenuously resisted and exposed the deviations from all principles of common justice and humanity; and, in particular, from the Spanish Code of the *Recopilacion de las Indias*, which governed Trinidad. That I had ever reprobated arbitrary imprisonment without specification of the offence; capricious banishment without any reason assigned; indefinite prolongation of imprisonment, without any person being bound to prosecute; the infliction of torture to extort confession; and execution without trial. I then mentioned the measures which had been adopted since my return to the Government, as to the defence of the Island.

In a meeting of Council, I expressed to B. G. Hislop, that the Members then present were entitled not only to my best thanks, but to the gratitude of the Colony and to the approbation of Ministers. I truly stated them as men of character and estimation in the Island, deeply interested in its welfare and prosperity. I declared that, considering myself as the accuser of B. G. Picton, I should have felt it improper to call into Council any individual, however respectable for property, talents and information, who belonged to the numerous class of opponents, and enemies of B. G. Picton. The present Council were men who  
disavowed

disavowed animosities, and, by their modes of acting in conjunction with me, had gone far to disarm all party spirit, notwithstanding the violent and outrageous perseverance of Mr. Gloster, Mr. Woodyear, the Alcaldes Black and St. Pé, and other Members of the Cabildo implicated with B. G. Piéton.

In the short space of one month from the formation of the present Council, I had been enabled, by the exertions of its Members, to complete arrangements for the defence and security of the Settlement: a Committee had been formed to examine and report on all foreigners or suspicious persons coming into the Island; this Committee, by keeping regular books, and entering the names and particulars concerning suspected persons, may collect a mass of intelligence sufficient to detect and counteract the designs of ill-intentioned inhabitants and public enemies; insomuch, that without having recourse to cruel acts of imprisonments, banishments, tortures and executions, there might not be a machinator in Trinidad, or any place in its vicinity, whose dangerous endeavours could escape detection.

I shewed B. G. Hislop the Instructions to the Commandants of Quarters: so far from overturning the arrangements of B. G. Piéton, when I found them good or eligible, I not only adopted them, but brought them forward, as a part of that connected system, which the circumstances of the Colony required.

I explained in private conversation to B. G. Hislop, the reasons which made me conceive it indispensable to suspend the Attorney-General, Mr. Gloster, until your Lordship should signify the King's pleasure on the subject. To describe the insolence and insubordination of Mr. Gloster's conduct and expressions from the 24th of March last, would far exceed any opportunity I had of explanation during the short and hurried period of communication with B. G. Hislop. Indeed, on all subjects connected with my charges against B. G. Piéton, I felt myself precluded by the relative situation of accuser and accused, from entering into any detail, conceiving a public trial to be pending. I confined myself very briefly to informing B. G. Hislop, that in reading over the Minutes of Council from the 24th of March, to the period of B. G. Piéton's departure, he would find a multitude of the most incredible and inconsistent allegations against me. That it would appear strange to him, to observe such a mass of misrepresentations remaining several months on the Minutes, without any answers being inserted on my part. That all these accusations had been carefully concealed from me. That they had been fabricated with a boldness of invention stimulated by the desperate endeavour to invalidate the charges which I had read to B. G. Piéton in Council on the 24th of March. That the intimation from your Lordship of a war with France, had obliged me to incessant exertion, in accelerating every measure connected with Military Defence and internal security.

See Communication from Messrs. Black, Langton, Beggarat, and Gloster, dated 20th of June, and refusing to attend their duty in Council; also Minute of Council, specifying reasons for suspending Mr. Gloster from the Office of Attorney-General.

security. My next object was, to expose the falsehoods entered on the Minutes, by examining Mr. Woodyear and Mr. Black in Council. I had proceeded to interrogate the latter, when notice was received of B. G. Hislop's arrival; of course all farther inquiry was suspended.

See Minutes of Council respecting imprisonment of Dr. Timbrell, dated April 1803; see Declaration by Dr. Timbrell; also charges and proceedings of a Court-Martial instigated against him.

Among the many endeavours to deceive your Lordship, by B. G. Picton and his accomplices, there was an attempt to induce a supposition, that Dr. Timbrell and others had been examined under oaths or injunctions of secrecy; and an answer of Dr. Timbrell's, entered on the Minutes of Council, was perverted, in order to give this impression. Dr. Timbrell's declarations annexed, will shew your Lordship how false the insinuation was; and that Dr. Timbrell acted with great propriety and attention to the safety of Messrs. Hayes and Proby, whom he conceived would have been endangered from the violence of B. G. Picton, if Dr. Timbrell had stated that they had taken his Declaration.

The same, and still stronger apprehensions, made the Spaniards Plat and Salazar endeavour to conceal that they had given any declaration, lest General Picton might have banished or imprisoned them, as he had done to Dr. Timbrell and Mr. De Castro.

On these points your Lordship will have the fullest evidence from Messrs. Hayes and Proby, as well as from Mr. Adderley, Major Williamson, Mr. Burke, Mr. Hill, Mr. Montez and Mr. Vargas, all now present, and well acquainted with every other material circumstance which occurred during my interference with the Government of Trinidad.

The pernicious spirit which so long directed the affairs of Trinidad, devoted Dr. Timbrell to destruction, after his imprisonment for declining to answer questions proposed to him by B. G. Picton and Commodore Hood, in Council, respecting the execution, without trial, of Hugh Gallagher, soldier in the Royal Artillery. Finding that no impression could be made on Dr. Timbrell, a manœuvre was contrived to ruin him by a Court Martial. An Officer of his Corps was instigated to exhibit charges against him, among others, on the following grounds: For volunteering secret information against his Commanding Officer B. G. Picton, and for keeping company with coloured men and negroes. The first of these was proved on the Court Martial to be totally without foundation. Dr. Timbrell not having given secret or volunteer evidence, nor any communications containing a word of disrespect to B. G. Picton, but having merely obeyed my intimation directing him to give a declaration before Messrs. Hayes and Proby, of such facts as he knew respecting the execution of Hugh Gallagher.

The charge of keeping company with coloured men and negroes was very fully established, for Dr. Timbrell was confined in a room about twelve feet square, in prison, along with nine persons of those descriptions, and of course had undoubtedly kept that company. Such was the mode

mode attempted to ruin a meritorious man, whose skill, conduct, and attention in the regulation of his Hospital, had been more highly approved of, during General Grinfield's visit to Trinidad, than that of any of the medical men entrusted with similar situations. This will be proved by the declaration of General Grinfield and of Colonel Shipley.

See Sentence of a Court Martial, acquitting and reinstating Dr. Timbrell.

On receiving Mr. Sullivan's Letter of the 19th of May, by the second Packet of that month, I became extremely desirous of resigning the Government into the hands of B. G. Frederick Maitland, and of returning immediately to Europe, without waiting for the arrival of B. G. Hislop. With this view I made preparations for departure, and stated to the Council and to B. G. Maitland my wishes on the subject. The Council, however, and the great body of Merchants and Spaniards, urged me so forcibly to abstain from a measure which they apprehended would throw the Government into the hands of Messrs. Black, Beggorat, Gloster, and Woodyear, the Members of the former Council, that I did not feel myself at liberty to resist the powerful arguments adduced for deferring my departure till the arrival of B. G. Hislop.

By Letters from Messrs. Adderley and Williamson, as well as from Sir John Hippisley and Brigadier-General Thomas Maitland, I learned that His Majesty's Ministers had resolved to institute an Inquiry respecting the charges which I had exhibited against B. G. Picton. I was farther informed that it would be requisite to bring the documents and witnesses to verify the accusations. Your Lordship's orders to the Commissioners, dated 20th of May, specified that explanation was rendered indispensably necessary on the subject of matters recorded in the proceedings of the Trinidad Council. With this view, the King's Commands were signified, that B. G. Picton and I should forthwith proceed to Europe. In order to fulfil these instructions, and to substantiate the accusations recorded in the proceedings to which they refer, it became my absolute duty, as far as in my power, to bring home the documents and evidence required. I did not feel myself at liberty to withdraw the Council Books from the Island, nor the Criminal Processes, nor the Records of the Jail, but I directed and prevailed on Messrs. Vargas, Proby, Burke, Hill, and the Deputy Alguazil Mayor, Don Juan Montez, to accompany me\*, as well as three Alguazils who were personally present, and employed in various applications of torture, punishments, or public executions; and also the Spanish girl Louisa Calderon, who, during her minority, suffered torture to extort confession, by order of B. G. Picton.

See Letter respecting the witnesses, addressed to William Fawkener, Esq. dated 28th February 1804.

The jailer Vallot was also prepared to accompany us, but the Alcaldes Black and St. Pé urged him to abscond till my departure; and I did not feel myself authorized to enforce his attendance. Mr. Francisco De Castro, Keeper of the Records, and a material evidence, was actually prepared, and ready to embark on Wednesday morning

\* Mr. Hayes had sailed for England some time before.

the 20th, along with Mr. Vargas and the other Gentlemen ; but Messrs. Black and St. Pé waited till B. G. Hislop had been sworn into office, and the moment after his Commission was announced they arrested Mr. De Castro, stating that I was no longer in the Government, and could not protect him. This intelligence reached me while adjusting matters with B. G. Hislop and the Council. We immediately summoned the two Alcaldes and Mr. De Castro to attend.

Mr. De Castro stated that the papers under his charge were in complete order ; that his Deputy, Mr. Alvarez, was perfectly competent to conduct the business in his absence, and that no such arrestation or impediment had ever occurred before. On the contrary, that Mr. Alkala had been permitted to go to South-America, and Mr. Garmendia had been appointed in his place, without even the formality of taking an inventory of the documents delivered or received. A similar attempt was made by these Alcaldes to arrest Mr. Montez, but he embarked before they could lay hold of him.

The Alcaldes objected to the Deputy of Mr. De Castro, saying, although he appeared a white man, they were not sure but he might have a portion of mulatto blood in his veins, and till they were satisfied on that head they would not receive him.

I explained, without reserve, to B. G. Hislop and the Council, in presence of Messrs. Black and St. Pé, that this was a continuation of the same system of deception, intimidation, and oppression, by which the Alcaldes, as implicated in the delinquencies imputed to B. G. Picton, endeavoured to suppress all evidence, and to restrain every individual from criminating that Officer and his accomplices. I then asked Mr. Black specifically this question, in presence of the Council : If an order were regularly granted and extended to Trinidad, under the authority of His Majesty, directing the attendance of Mr. De Castro in England, whether he, Mr. Black, would feel himself justified in resisting that order, and detaining Mr. De Castro ? He replied, that even in that event he would not suffer Mr. De Castro to depart until he had satisfied the Alcaldes respecting the arrangements of his office : thus completely insulting the King's Authority, in the presence of B. G. Hislop and the Council. I then assured all the persons present, that Messrs. Black and St. Pé were determined, per fas aut nefas, to detain Mr. De Castro ; that it was disgraceful to the Public Authority to allow such machinations to succeed, and that Mr. De Castro ought to be permitted to embark.

Notwithstanding these observations, the Alcaldes were suffered to carry their point : Mr. De Castro remains at Port of Spain, and, under apprehension of insult and disgrace from those nefarious characters, he has very prudently declared since my departure from Trinidad, that he does not mean to embark or leave the Island, unless properly summoned by regular authority.

Before the departure of B. G. Picton from Trinidad, on the  
14th

14th of June last, he issued an order obliging the Peons, or Spanish Labourers, as well as all other individuals, to serve indiscriminately in the Militia. The consequences were, that many hundreds of them fled precipitately to the Continent of South-America. On my return to Port of Spain on the 17th of June last, I instantly prevented the extension of this growing and alarming evil, which would have deprived Trinidad of its best and most industrious Free Labourers, from whom, advantages of various sorts were derived. On stating the case to the Council, we determined that no Spanish Peon should be obliged to serve in the Militia, nor to perform any military duty, unless as an act entirely of his own inclination. Since my departure from the Island, the appointment of Messrs. Black, Beggorat, and Gloster, as Counsellors, has again thrown the whole classes of Spanish inhabitants into a state of apprehension and consternation, which cannot fail to prove injurious to every object, connected with the Commercial intercourse between Trinidad and South-America.

With respect to the numerous improprieties to which the Ladies of my Family, and myself, have been exposed, in a manner highly unbecoming their rank and condition in life, I consider these circumstances as of a personal nature, and shall at present abstain from offering any observations.

On the morning of the 20th July, previous to my departure, I settled all concerns with Mr. Collin, the Public Treasurer, and received from him the certified Financial Statements of the Island. My personal Account\*, See Statements of Duties and Acc'ts, by the Treasurer of Trinidad.

* Dr. His Excellency Colonel Fullarton, with J. P. Collin, Treasurer.				Cr.	
1803.		dol.	bits.		dol. bits.
Jan. 18.	To paid your order to John Burke, Esq.	-	500	0	By your salary as First Commissioner, from June 10, 1802, to October 31, 1803, 1 year 4 months and 21 days, at 3000l. per ann. (dollars at 4s. 8d.)
Feb. 5.	To paid your order to Mr. Vint,	-	500	0	17,946 4
23.	To paid your order to Mr. Burke,	-	500	0	Sterling, 4187l. 10s.
Mar. 5.	To paid your order to Mr. Vint,	-	500	0	
12.	To paid you prec't,	-	500	0	
26.	To paid your order to Mr. Mackenzie,	-	500	0	
	To paid Major Dalrymple on your account, by John Sayers, Esq.	-	832	0	
30.	To paid your order to Mr. Burke,	-	500	0	
May 16.	To paid your order to Sir James Bontein,	-	166	3	
July 9.	To paid your order to Mr. Burke,	-	500	0	
19.	To ditto to Messrs. Clarke and Moore,	-	1315	0	
			6313	3	
20.	To cash in full,	-	11633	1	
			17946	4	

Trinidad, July 20, 1803.

Errors and omissions excepted.

(Signed) J. P. COLLIN.

signed

signed by him, is inserted in a Note, to shew your Lordship the brevity of my pecuniary demands, and to prove that I did not, directly or indirectly, receive one fraction on the public account, on any pretence whatever, excepting merely the amount of my net Salary, from the time of my appointment to the 1st of November last. The sum of 1500l. paid to me, per advance, from the Treasury in London, previously to my departure, is accounted for in my Letter to Mr. Vansittart, dated 22nd March: that Letter farther explains various sums which I have been obliged to advance on the Public Service connected with Trinidad.

See Statement transmitted to the Treasury by B. G. Picton. See Statement of Account, subjoined to a libel. Your production by B. G. Picton. See Statement of Account by Mr. Gloster. See Colonel Fullarton's exposition of these Mis-statements, transmitted in a Letter to John Sargent, Esq. dated Jan. 3, 1804; also Letter to Nicholas Vansittart, Esq. Feb. 4, 1804.

B. G. Picton, and Mr. Gloster, transmitted fallacies of the most flagrant nature, on this subject, to the Treasury; these are fully refuted in my exposition of Mr. Gloster's mistatements, and in my Letters to Mr. Sargent and Mr. Vansittart, of which copies are before your Lordship.

Such, my Lord, is the verified Narrative of Transactions relating to the Government of Trinidad, from my appointment as Commissioner till the period of my departure. Various observations and conclusions resulting from these events, or connected with subsequent proceedings, shall be submitted to your Lordship in a separate address.

I have the Honour to be,

With great Respect,

MY LORD,

Your faithful and obedient Servant,

W. FULLARTON.

HERE it may be proper to add, that the mode in which I acted on the subject of B. G. Picton's resistance, as expressed in my Letter to him, dated the 9th of June, was communicated to Colonel Hope, commanding His Majesty's 37th Regiment. His answer, dated 12th June, evinces the strongest approbation of my precaution, in avoiding to involve the Military in discussions of a delicate and uncomfortable nature.

*Copy of a Letter from Colonel Hope, expressing his Approbation of Colonel Fullarton's Moderation and Conduct towards the Military.*

*Orange-Grove Barracks, June 12, 1803.*

SIR,

I HAD the honour to receive your Note, with the other Papers enclosed, and feel myself obliged for the communication. I hope you will do me the justice to believe, that I am extremely concerned at the very disagreeable situation you are for the present placed in; as the conclusion

conclusion of your Letter to General Picton cannot fail of making your conduct appear highly conspicuous, from its moderation and coolness, in not putting the Military Force to the alternative you allude to. Having been long in the Army yourself, you will agree with me, that at no time should an Officer or Soldier on duty be put in the situation of questioning the legality or propriety of the orders he receives from his superior Officer, who alone is accountable for his conduct; for if the principle be once admitted in any respect, there would be a total subversion of all order and discipline, on which alone the Military Force is founded; nor can any thing less than absolute necessity, and to prevent involving an Officer in a prosecution for illegal measures, warrant his disobedience of orders: your judgment, therefore, in appealing to General Grinfield, as Commander of the Forces, must be deemed by all cool-headed persons as a preferable method, than to have appealed to the sentiments of the Troops immediately under the Brigadier-General.

A few days more, I suppose, will bring Major-General Clephane here, who was appointed to the command in this Island: this I hear from Major Spread, who left the Downs on the 6th May, and arrived here on the 4th June.

I have the Honour to be,  
With much Esteem,

SIR,

Your most obedient, and very humble Servant,

(Signed) JOHN HOPE,  
Lt.-Col. Commanding 37th Regt.

P. S. Do you wish the Papers to be returned?

*The*





*The following Documents are annexed, to verify the Statements and Assertions on the part of Colonel Fullarton, and to expose the Misconduct and Mis-statements on the part of General Picton.*

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No. I.

*Statement respecting Madame Duval, and Conversation held between Colonel Fullarton and Mr. Woodyear.*

*February 12, 1803.*

THIS morning, about nine o'clock, Mr. Woodyear called on Colonel Fullarton, when the Colonel informed him, that he had the strongest objections against admitting into this Colony any Frenchman who had been ordered out of this Island, or out of Grenada, Marti-nico, and Guadaloupe, during the war, and that he had invariably resisted all applications to that effect; but that, about a fortnight ago, a Frenchwoman, long established in this town, had applied earnestly for permission that her sister, or near relation, might be allowed to come from the opposite Spanish coast to see her family, and settle some urgent matters of property here: that Colonel Fullarton had granted her request, and that she arrived this morning. Colonel Fullarton desired Mr. Woodyear to mention this circumstance to B. G. Picton; and this is all that passed upon the subject.

(Signed) W. FULLARTON.  
J. M. WOODYEAR.

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No. II.

*Statement respecting Madame Duval, and Message from Colonel Fullarton to Mr. Woodyear, by Mr. Burke.*

*February 12, 1803.*

ABOUT half past two o'clock, *p. m.* an Alguazil having received orders in writing from General Picton, to send a Frenchwoman,  
G named

named Duval, out of this Island, conducted the same woman to Colonel Fullarton, in consequence of her shewing an order signed by Colonel Fullarton, permitting her to remain in the Island for one week, and no more, to see her friends, and settle some family affairs. Colonel Fullarton immediately released the woman, dismissed the Alguazil, and sent me with General Picton's orders to Mr. Woodyear, that Mr. Woodyear might perceive some misunderstanding must have arisen, either through himself or through General Picton; particularly as Colonel Fullarton had given a written permission to this Madame Duval, between the hours of nine and ten, *a. m.* to remain for the above-mentioned period; and farther to remind Mr. Woodyear, that this was the woman who, by means of her sister, or some near relation, in this town, had about a fortnight ago made application to the Colonel for permission to come here; and that in consequence of such application at that time, and her presenting herself this morning, Colonel Fullarton had allowed her to remain in the Island for one week; likewise to desire Mr. Woodyear would communicate all these circumstances to General Picton.

(Signed) JOHN BURKE.

### No. III.

*Statement respecting Madame Duval, by Messrs. Burke, Hill, Vint, and Christie.*

*Port of Spain, Saturday, Feb. 12, 1803.*

AT about eight o'clock in the evening, while Mrs. Fullarton and the under-signed Gentlemen, together with three Spanish Gentlemen, who had dined with Colonel Fullarton, were sitting at tea, B. G. Picton entered the drawing-room, and desired to speak with the Colonel, who received him as usual. They entered the gallery, which forms part of the same room, and is on the same floor. On a sudden the whole company was surprized by the words of General Picton to Colonel Fullarton, who was at this time quite silent; but while General Picton was continuing his vociferous and menacing intonations, Colonel Fullarton raised his voice, and spoke in a louder tone on the same subject, which was a complaint made by General Picton, that Colonel Fullarton had granted permission to a Frenchwoman, named Madame Duval, to come here from the Main, and to remain one week, for the settlement of her affairs.

JOHN BURKE,  
ROBERT HILL,  
HUGH VINT,  
GEORGE CHRISTIE.

No. IV.

## No. IV.

*Statement and Motion by Colonel Fullarton, respecting Madame Duval.*

*February 12, 1803.*

SUCH is the statement of Messrs. Hill, Burke, and Vint, three Gentlemen appointed to assist in the Public Secretary's Office, and Mr. Christie, Assistant in the Surveyor-General's Office.

They have, however, omitted to state the violence with which B. G. Picton struck the rails of the gallery with his hands, while addressing Colonel Fullarton, which, of course, induced Colonel Fullarton to strike the rails with superior vehemence, in replying to B. G. Picton. From motives of delicacy, the three Spanish Gentlemen who were present have not been applied to for any declaration.

It is farther necessary to state, that when Madame Duval left Colonel Fullarton on Saturday morning, about nine o'clock, it is understood that she waited immediately on B. G. Picton, who in terms of great severity, as has been stated to Colonel Fullarton, ordered her immediately to reembark, and to quit the Colony.

B. G. Picton, however, in his altercation with Colonel Fullarton, insisted that he acted in consequence of a communication through the Public Secretary, Mr. Woodyear; while Mr. Woodyear, having signed the paper, No. I. proves that Mr. Woodyear had not, by any implication whatever, the remotest authority from Colonel Fullarton to that effect.

It farther appears, that after Mr. Burke had delivered to Mr. Woodyear, about half past two o'clock, General Picton's order, which the Alguazil produced to Colonel Fullarton, as his authority for taking Madame Duval into custody, Mr. Woodyear, instead of coming to Colonel Fullarton for explanation, delivered the order to B. G. Picton, and again waited upon him in the evening, after B. G. Picton's altercation with Colonel Fullarton; but excused himself from calling on Colonel Fullarton until next morning, although Colonel Fullarton had sent in the evening, requesting to see him on this extraordinary affair.

Such appears to have been the rise and progress of a transaction, on which, for the present, Colonel Fullarton will abstain from making any comment.

The spirit of attention and conciliation with which Colonel Fullarton has invariably conducted himself towards B. G. Picton, is a matter of public notoriety. To all applications tending to criminate the preceding Government of this Island, Colonel Fullarton has constantly replied, that he wished to avoid all discussions that had any retrospect; that his object was to look forward. With this view he has

been unremitting in his endeavours to soothe or palliate former animosities, and to unite all the classes and conditions of which the Colony is composed in cordial co-operation, in order that the Commissioners may be enabled to fulfil the wise, liberal, and efficient instructions which they have received from His Majesty's Ministers, for the benefit and improvement of the Colony.

The confidence and respect which Colonel Fullarton entertains for the distinguished character and acknowledged abilities of Commodore Hood\*, render it a matter of inclination and propriety in Colonel Fullarton, to abstain as much as possible from bringing forward any measures of importance, except those of immediate and pressing urgency, in expectation of the arrival of the Commodore, with whom it will at all times be Colonel Fullarton's object most cordially to co-operate.

From the mode in which the transaction respecting Madame Duval has been conducted on the part of B. G. Picton and Mr. Wood-year, it becomes essential for the Public Service, that Colonel Fullarton should now move, that there be produced a Certified Statement of all the Criminal Proceedings which have taken place since the commencement of the late Government of this Island, together with a List, specifying every individual, of whatever country, colour or condition, who has been imprisoned, banished, fettered, flogged, mutilated, tortured to extort confession, hanged, burned, or otherwise punished; also specifying the dates of their respective commitments, trials, sentences, periods of confinement, punishments, and of all those who have died in prison†.

Colonel Fullarton further moves, that George Adderley, Esq. Provost-Marshal, be furnished with copies of the same, in order that he forthwith prepare and submit to the Commissioners in Council a Report on these Proceedings.

\* The professional character of Commodore Hood still remains conspicuous. Colonel Fullarton regrets that, in other respects, subsequent events have forced him to alter his opinion of a man whom he sincerely regarded.

† This List Colonel Fullarton arranged in the most distinct, formal, and specified terms, in order to check the violence with which the Brigadier seemed determined to overpower him. Colonel Fullarton, by the Instructions, was prevented from returning to Europe. He conceived himself, in his capacity of Commissioner, precluded at the moment from making use of the ordinary personal means between Gentlemen, for repressing the outrage with which he was assailed; whilst the Brigadier, in full possession of the Military Power, seemed determined to render Colonel Fullarton's situation at the head of the Civil Government completely contemptible and inefficient. His own energies, therefore, were the only means left, to rescue him from circumstances so degrading. The event proved, that the decisive measure he adopted, by calling upon the Brigadier's government in a mode that alarmed their organs, gave a turn to their mistaken views of the First Commissioner, whom they considered as so conciliatory and mild in his temper, that if the Brigadier let loose his opposite qualifications of violence and outrage, he would force the First Commissioner to sanction and continue the preceding system of severity. At that time, he was far from supposing it had been one of such cruelty and horror, without attention to any forms of Spanish or of English Law.

No. V.

## No. V.

*Motion in Council respecting the Suspension of Mr. Woodyear.**February 17, 1803.*

COLONEL FULLARTON takes this opportunity of repeating what he has often and publicly expressed, that the handsome manner in which General Picton received him and his family, and his readiness on all occasions to consult and communicate on every point of public business, have merited his best acknowledgments.

After the reconciliation which has taken place between General Picton and Colonel Fullarton, it would be highly improper to allude to the transaction which produced it, with any other view than to render the reconciliation cordial and secure, and remove any obstacles that might endanger its continuance.

Such are the objects of the present Statement and Motion, with the intention of shewing to His Majesty's Ministers what was the subject of the misunderstanding, in order to prevent the mistatements which might reach Government from other quarters, to the detriment of either party.

In the discussion which took place on Monday last, it appeared that Colonel Fullarton had granted permission to a Frenchwoman, named Madame Duval, to come here from the Spanish Main, and to remain for a week to settle some family concerns.

In consequence of this permission, the woman in question arrived, and presented herself to Colonel Fullarton on Monday morning before nine o'clock. He shewed the woman to Mr. Woodyear, and informed him, that she had just arrived with Colonel Fullarton's permission, and desired him to communicate the same to General Picton.

It farther appears from the declaration of General Picton, that Mr. Woodyear has represented the matter to him in a manner very different from what he was authorized to do by the communication between Colonel Fullarton and Mr. Woodyear.

This is proved by the statement signed by Mr. Woodyear, and produced by Colonel Fullarton on Monday last.

It was further verified in Council, by the Statement signed by Mr. Burke, that at half past two o'clock, Madame Duval was brought to Colonel Fullarton, in custody of an Alguazil, with a written order from General Picton, not to suffer her to remain on shore.

Colonel Fullarton immediately released the woman, sent Mr. Burke to Mr. Woodyear with the order signed by General Picton, and desired that Mr. Woodyear might explain or rectify the misapprehension or counteraction which had occurred. Instead of coming to Colonel Fullarton, Mr. Woodyear went to General Picton, and delivered to him

him the General's written orders, which Colonel Fullarton had sent to Mr. Woodyear by Mr. Burke for explanation.

In consequence of misapprehension occasioned by Mr. Woodyear, General Picton called on Colonel Fullarton in the afternoon, and in the hearing of Mrs. Fullarton, and a company of Gentlemen taking tea with her, expressed himself in a manner which occasioned a serious misunderstanding.

Mr. Woodyear afterwards waited on General Picton, but declined coming to Colonel Fullarton, who had sent for him after the discussion with General Picton; and Mr. Woodyear did not come near Colonel Fullarton till next morning.

Under these circumstances of mistatement, omission, or neglect of public duty, on the part of Mr. Woodyear, on a subject of great delicacy, and very materially affecting, not only the character and estimation of the parties concerned, but the welfare and security of the Colony at large—Colonel Fullarton moves, that Mr. Woodyear be suspended from executing any function connected with the office of Public Secretary to the Commission; but that his salary be continued until the pleasure of His Majesty's Ministers upon the subject be known; and, in the mean while, that George Adderley, Esq. Provost-Marshal, be now appointed to execute all the duties of Public Secretary to the Commission; and that Messrs. Burke, Hill, and Vint, shall continue to act in the Secretary's Office, and that the necessary oaths be now tendered to George Adderley, Esq. and to each of these Gentlemen.

Colonel Fullarton has to add, that his extreme anxiety has been to derive the fullest benefit from the local knowledge, talents, and experience of General Picton\*, in all matters connected with this Island. From the first moment of his arrival, he requested that a weekly meeting of Council might be held, to deliberate on the proceedings that had occurred, and on such as ought to be brought forward. But in the current executive detail connected with the duties of Civil Government, it is physically and topographically impossible that three Commissioners can personally direct the arrangements, and receive the applications, which continually arise. Many of these duties are troublesome and annoying in their nature; but if they are not performed at all, or liable to counteraction, as at present, the daily operations and security of Government must of necessity be palsied, and struck with nullity.

See Lord Hobart's Letter of

Under these impressions, Colonel Fullarton thinks it his duty to

\* It has been always admitted by Colonel Fullarton, that B. G. Picton possesses a considerable share of natural talents, although perverted by evil principles, and an ungovernable temper. The marvellous impositions which he has impressed on men superior to himself in character, intellects, and situation, sufficiently prove, that Colonel Fullarton had not over-estimated his sagacity.

In this instance, the "*si populus vult decipi*" of Sextus Quintus, has been applied in less classical terms by the Brigadier in higher directions.

move,

move, that the daily detail of executive Civil Authority shall be performed by the Senior Commissioner, being present; in the same manner as the Military Transactions are under the authority of General Picton;—and that the Commissioners shall hold a weekly meeting of Council, where all public measures shall be reported and discussed; and that this shall continue in force until the pleasure of His Majesty's Ministers be known.

the 23d April, specifying and confirming these powers in the Senior Commissioner.

### No. VI.

*List of Persons flogged, pilloried, mutilated, hanged, and burned, by William Payne, Executioner, delivered by him to Colonel Fullarton, when he visited the Jail, in company with Messrs. Black, Beggorat, and other Members of the Cabildo, and with Mr. Adderley, and other Gentlemen.*

Hanged and burned at St. Josephs, and head cut off,	-	1 man.
Ears clipt off at ditto,	-	2 ditto.
Ears clipt and stampd,	-	4 men.
Flogged under gallows,	-	1 ditto.
Punished at pillory,	-	1 ditto.
Led through town and pilloried,	-	1 ditto.
Ears clipt in market,	-	1 ditto.
Ditto in the jail-yard,	-	1 ditto.
Mulatto man and one negro man flogged through town,	-	2 ditto.
Ears cut off in the jail-yard, of two black men,	-	2 ditto.
Received in part two joes.		

(Signed) WILLIAM PAYNE.

A true Copy.  
T. W.

### No. VII.

*Copy of Apology to the Hon. Mrs. Fullarton, from Brigadier-General Picton\*.*

B. G. Picton hopes Mrs. Fullarton will do him the justice of believing, that nothing could be farther from his intention than offering

\* The Note of Apology to Mrs. Fullarton is inserted, because B. G. Picton attempted afterwards to retract it, stating his tones of voice to have been moderate and proper; at the same time charging Mr. Burke, in presence of the Commodore, with having listened to a private conversation on the affair of Madame Duval; which he adduced as one of the reasons why Mr. Burke should be deprived of his situation, as Assistant Secretary, during the First Commissioner's absence.

her



her any offence, by the high tone of voice he employed the other evening. When he began the discussion, he entirely ceased to recollect that Mrs. Fullarton and the family were within hearing.

He trusts he shall never have the misfortune of incurring a similar suspicion.

*Port of Spain, Feb. 14, 1803.*

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## No. VIII.

### *Opinion of Members of Council respecting Mr. Woodyear's Suspension.*

*February 17, 1803.*

My opinion is, that the misunderstanding which happened between their Excellencies the Commissioners of His Majesty, was occasioned by an involuntary equivocation on the part of the Secretary of the Commission, in a verbal communication delivered by him to General Picton; but the reconciliation that had taken place the foregoing Council, having been complete, and without reserve, the business could not be renewed in any manner in the following Council, without producing new discussions, foreign to our cognizance, and unconnected with the present state of the business.

H. BEGGORAT.

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I am of opinion the cause of the misunderstanding which happened between Colonel Fullarton and B. G. Picton, was the message delivered by Mr. Woodyear to the Brigadier from Colonel Fullarton, relative to Madame Duval, not having been (from misconception or mistake) fully expressed; but, as I conceive that mistake did not arise intentionally, so I think a vote of censure on Mr. Woodyear's conduct would be adequate punishment, without proceeding to the extremity of suspension.

J. BLACK.

*Council-Chamber, March 3, 1803.*

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My opinion respecting the suspension of Mr. Woodyear from his Office of Secretary to the Commission is, that the misunderstanding which had arisen between Colonel Fullarton and B. G. Picton was certainly occasioned by Mr. Woodyear's not delivering the message from Colonel Fullarton to B. G. Picton as he was directed to do. But as a reconciliation had taken place between those two Gentlemen, I was of opinion that every thing relating to that unfortunate affair had better be entirely forgot. Upon the other Members recommending

ing a reprimand to Mr. Woodyear, I concurred with them in opinion. On the whole, I did not conceive that this business was in any manner subject to our discussion or opinion.

JOHN NIEL.

No. IX.

*From John Robert Smith, Esq. respecting a refusal to him of Military Aid on Sunday Evening last, by an Officer of the 37th Regiment, then on duty, Captain Potier, of the 12th Regiment, being Captain of the Day.*

*To His Excellency Colonel Fullarton.*

SIR,

*Trinidad, March 10, 1803.*

I WAS on Sunday evening last under the necessity of troubling your Excellency on the subject of a complaint which was lodged with me, respecting an attempt by some sailors to break open a Store, when your Excellency requested me to send you the particulars in writing next morning. This I accordingly did; and your Excellency was then pleased to desire I would wait upon you at your house, adjoining that of General Picton's, at two o'clock in the afternoon of the same day. This order I likewise complied with, but was disappointed in not finding your Excellency at home; your Secretary, however, was kind enough to say he would mention I had called. Since that time I have not had the pleasure of hearing any thing farther on the subject\*.

I therefore now beg leave to solicit your Excellency's answer, that in case of a similar affair happening, I may be enabled to act according to your Excellency's instructions, as well as to avoid any blame that may be attached to me as Alcalde de Barrio.

I have the Honour to be,  
Your Excellency's most obedient  
and humble Servant,

JOHN ROBERT SMITH,  
Alcalde de Barrio.

\* The delay, in giving an answer to Mr. Smith, arose from the absence of B. G. Picton, who had accompanied General Grinfield to Chaguramos, and had directed that military aid should not be granted, unless by an order from himself.

## No. X.

*Statement to the Commissioners, by Colonel Fullarton.*

*Port of Spain, March 12, 1803.*

COLONEL FULLARTON takes this opportunity of stating to the Commissioners, that on Sunday last he learned, that in the course of the preceding week the Cabildo had held an extraordinary, or secret meeting, with the view of bringing forward a representation or remonstrance, in which he understands that he was personally concerned.

Colonel Fullarton has felt it his duty to attend the weekly meetings of the Cabildo every Monday, when not prevented by more urgent business, and whenever it may be necessary, will continue to do so.

On Monday last he proposed to the Meeting a number of Queries, the object of which was, to remove impressions arising from misrepresentations industriously circulated, and to ascertain how far the Cabildo, and the Judicial Authorities of this Island, concurred with him in the first principles, on which the security of persons must depend in civilized society.

He had the satisfaction to find, that the Members of the Cabildo, verbally and unanimously, in presence of Messrs. Adderley and Vargas, answered his Queries, as these Gentlemen and he expressly understood, in a manner which coincided with his own opinions, except on two points, No. II. and XIII., on which they promised him an opinion in detail.

He has, however, received a written Document from the Cabildo, in which some of the answers are expressed in very different terms. He now lays before the Commission that Paper, with the Queries to which it refers.

He intends to move, that they may be entered on the Minutes of the Council, and that they may be transmitted to England, with such further information as may occur, to enable His Majesty's Ministers to pronounce upon the merits of the case.

Colonel Fullarton likewise produces a copy of a Letter from him to Mr. Gloster, and that Gentleman's answer, with the view of their being entered on the Minutes of Council, in order that B. G. Picton may have the full benefit of Mr. Gloster's opinion, which was taken by his desire; and that, if the subject shall appear to Lord Hobart in the same light as expressed by Mr. Gloster, his Lordship may be pleased to direct the terms in which Colonel Fullarton should apologize to B. G. Picton, for having moved in Council for a statement of Judicial Proceedings, and for a list of persons who had suffered punishments, specified in a Paper put into his hands by the Executioner.

Colonel Fullarton has been accused of arrogating and usurping to himself powers which belong only to the three Commissioners collectively. His having visited the prison with the Members of Cabildo  
and

and the proper Officers, has been adduced in proof of this accusation, although one of the Commissioners was absent on service, the other had been long acquainted with every local circumstance, and the Spanish laws required that the prisons shall be visited every week, or at least frequently, by those who execute the duties of government.

Colonel Fullarton has farther been accused of interfering with the Alcaldes, or Judges, and Commandants of Quarters; 1st, Because he signified to the Provost-Marshal, that by the laws of England—by the regulations of this Island, except in some instances, where it has been held sufficient to send the charge within 24 hours—and, as he conceives, by the laws of God and Nature, it is required, that when any individual is sent to prison, a specification of the offence should be at the same time transmitted, as the warrant of commitment.

2d, Because he also stated to the Provost-Marshal, that when prisoners were confined in the jail, without any specification of an offence, and without any accusation brought forward against them, there was not any law in England, nor in this Colony, which, in his opinion, could justify their detention; especially in a prison so inadequate and noxious, that to be confined in it, is a severe punishment for any ordinary delinquency.

3d, Because he had merely directed that, whenever any slave or person was committed to prison, the fact should be reported to him as a Member of Government, although by the Spanish law in this Island, no individual could be committed to prison at all, except by an order from the persons exercising the powers of government.

It has likewise been imputed to Colonel Fullarton, as he conceives, in very unbecoming terms, in a letter addressed to the Commissioners, by the Commandant of a Quarter, Monsieur Noel, that the People of Colour are excited to insurrection, because a mulatto, named Durand, who had been sent to prison on the 4th of February, without any specification of a crime, was released on the 8th. It appears that Mr. Noel, or his Assistant, Mr. Clozier, sent a letter dated the 6th, which was received upon the 7th, explaining that Mr. Noel had not sent the specification of the crime along with the prisoner. Colonel Fullarton, however, had not read that letter, which was written unintelligibly, or in a bad hand.

The other Commissioners objected yesterday to Colonel Fullarton's suggestion of his writing any letter to the Commandant of a Quarter, as trenching on the collective powers of the Commissioners. Although he by no means admits the position, that he is precluded from corresponding with any person, except in his collective capacity as a Commissioner, yet he has abstained at present from corresponding with Mr. Noel.

As far as depends on him, he is also desirous of abstaining from that tone of contest in which the daily business of the Commission, and weekly business of the Council, has of late been conducted. It can

only tend to degrade the estimation of the Commissioners, and to interrupt all the important objects for which the Commission was appointed.

He feels it incumbent upon him to prepare materials for a Report, and to view in person different positions on the Island: these duties will prevent him from a regular attendance on the daily meetings of the Commission, and on the weekly meetings of the Council.

As often as he may thus be absent, the other Commissioners will of course perform the daily duties of the Commission. He trusts, in their exertions, they will be more successful, than he could hope to be, under existing circumstances.

At the same time, he will attend to the current proceedings of the Board; he will be ready to express his sentiments on every material occasion, and to bring forward every suggestion which he conceives essential, to promote the objects of the Instructions which he has received from His Majesty's Ministers.

Colonel Fullarton has only to express, that in his opinion, an apology ought to be made by the Commissioners to General Grinfield, as Commander in Chief, for having omitted to request, that he would see the Militia Corps under arms. But in the present state of executive duty in this Island, it hardly seems practicable, that three Commissioners could command or manœuvre those Corps in the field. At all events, on this subject Colonel Fullarton shall take the liberty, in his individual capacity, of apologizing to General Grinfield for the omission in question.

(Signed) W. FULLARTON.

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No. XI.

*Letter from George Adderley, Esq. Provost-Marshal, informing that Military Aid, on application, had been refused.*

SIR,

Port of Spain, Feb. 18, 1803.

I BEG to inform you, that between the hours of ten and eleven last night, the patrol of Alguacils apprehended a Negro Slave in the sentry-box on the Pier-head: he was asleep on the knapsack, blanket, and great coat of a Soldier of the 37th Regiment. They also stopt at the same place, three men in sailors' jackets, who appeared to be guarding a canoe; but as they were already encumbered with the Negro and the baggage, the Teniente, Mr. Montez, applied to the Guard at the Fort (for there was no sentry at the Pier-head) for assistance, which was refused, and the Sailors escaped.

I have the Honour to be,

SIR,

Your most faithful and most devoted Servant,

G. ADDERLEY,  
Provost-Marshal.

*His Excellency Colonel Fullarton, &c. &c. &c.*

No. XII.

## No. XII.

En Noel, *Commandant of Carenage, his Order for imprisoning Durand, a Mulatto, without any Crime specified.*

IL est ordonné a l'Alguazil Pierre Guard de conduire a la Geole le Mulattre Durand pour y rester jusqu' a nouvel ordre.

*Carenage,*  
*Le 4 Fevrier, 1803.*

(Signed)

EN NOEL,  
Commandant.

*Spanish Act, in which it is enforced that no one can be imprisoned without the specification of his Crime, &c. &c.*

*Law 6th, tit. 6th, Book 7th, Recopilacion de Leyes de Indias.*—The Jailer must keep a book, in which he must enter the names of the prisoners; of those who ordered them to be taken up; of those who executed the order, the cause, and the day; he must give an account of the same to the Judge; nor trust the keys of the prison to Indians or Negroes, under penalty of corporal punishment, or of making good the damage, by his person or his goods.

(A true and faithful translation.)

(Signed)

JOHN BURKE.

## No. XIII.

*Minute of Council by Brigadier-General Picton.*

*March 17, 1803.*

Brigadier-General Picton has the honour to move, that Papers No. 1, 2, 3, be read and entered upon the Minutes of the Council. The two former are declarations upon oath of Mr. Woodyear and Servant, touching a communication from Colonel Fullarton to the Brigadier-General, respecting a free woman of colour, named Jeanne Louise Duval. The communication made by Mr. Woodyear, as correctly stated in his affidavit, quadrates so perfectly with what the Brigadier

gadier had a right, from his situation, to expect from the First Commissioner, that he naturally could not entertain any doubt of its correctness and authenticity. It was natural to expect that the First Commissioner would not have taken a step so hazardous and dangerous to the Colony, as the introduction of such an atrocious character, who had been sent off by His Majesty's Governor, for conspiring against the peace and safety of the Island, without consulting the Commissioner joined with him by His Majesty in the Government, and who moreover was the very person who had sent her off.

If the communication had been delivered, as Colonel Fullarton states it ought to have been, the Brigadier must have considered it as an insult, calculated to give him offence. It would be as much as to say—I have sent you Jeanne Louise Duval (a person sent off the Island by your authority), to inform you that I have determined to admit her into the Colony, whatever your sentiments may be on the occasion. I cannot pretend to penetrate the motives of His Majesty's First Commissioner; they lay too deeply concealed for me; but I can take upon me to say, that the admission of such dangerous persons, in opposition to the remonstrances of His Majesty's Commissioners, contrary to the opinion and advice of his Council, has excited a general apprehension amongst all the respectable part of the community, and a well-founded dread of the spirit such an example is calculated to inspire into a dangerous and numerous class.

The Brigadier did his duty on the occasion; requested a private conference with the Commissioner; and gave him his opinion in an open and candid manner, such as became his situation. The Commissioner complains that it was given in a high tone of voice, and disturbed his family: he spoke as he felt; and as he will always feel and speak on similar occasions, either with or without witnesses; for a man of probity is not afraid of being heard.

The Brigadier trusts, that it would be more for the good of the Colony, and of His Majesty's Government, that the First Commissioner should consult with his Colleague, whose honourable principles would secure him from all *possibility of imposition*, than with a set of artful, intriguing, ill-designing bankrupts in fortune and reputation, who besiege the avenues, and poison all the channels of information. Whilst there exists a suspicion, that the First Commissioner can so far descend from his high situation, as to consult with individuals of so despicable a description, what sentiments can prudent persons entertain of his government?

The Brigadier has observed, with concern, many interferences, on trivial occasions, with the duty of Magistrates, which have had the evil tendency, on one hand, of weakening their confidence in the support of Government, and thereby paralyzing the execution of the laws; and on the other, of inspiring the free people of colour and slaves,

slaves, with an opinion, that they have been treated with unreasonable restraint and harshness. In a country, constituted as this is, very ill consequences may proceed from the best of motives and principles, theoretically good, applied without discretion, may and will be productive of mischiefs which cannot be easily calculated.

The laws, in all countries where slavery is established or tolerated, allow the master to secure the obedience of his slave, by reasonable and moderate punishment; and the Government ought not to interfere, unless such punishment is carried to excess.

But the First Commissioner, by ordering that no punishment should be inflicted without his order, has superseded the power of Masters and Magistrates; and in a certain degree rendered the slave independent of both: the misery which has laid waste many of the neighbouring Colonies, ought naturally to guard us against such dangerous innovations.

The First Commissioner, in affairs of a trivial nature, and of no great moment, had the air of always waiting the arrival of the Commodore, but in a business of importance (the suspension of the Public Secretary), he acted immediately from himself, in opposition to the opinion of His Majesty's Council, and the protest of his Colleague. It might be observed, that he had little hopes that a Gentleman of the Commodore's high and decided character, could be brought to acquiesce in a measure (precipitate, arbitrary, and cruel) upon slight and controverted grounds.

As the Commissioner's Paper, No. IV. contains insinuations of a most insidious nature, calculated to impress His Majesty's Ministers with opinions injurious to the Government, at the head of which the Brigadier presided during dangerous and perilous times; he thinks it his duty to move, That the Alcaldes in Ordinary be called upon to produce all the criminal proceedings that have been carried on in their respective offices, since the first day of March 1797, and that they be remitted by the Clerk of the Council, to the Office of His Majesty's Secretary of State, the Right Hon. Lord Hobart.

(A true copy, taken from the original in the Council Minutes).

(Signed)

GEO. UNWIN,  
Deputy-Clerk.

#### No. XIV.

*J. L. Alfred's Affidavit, (Mr. Woodyear's Servant.)*

*Port of Spain, Feb. 17, 1803.*

BETWEEN nine and ten o'clock on Saturday night, the 12th, Colonel Fullarton sent a Note to Mr. Woodyear, and Mr. Woodyear was not  
at



at home ; a short time after, he came home very unwell, and sent me with his Compliments to Colonel Fullarton, to say he was very sorry he was out when the Note came, and that, if Colonel Fullarton would excuse him that night, he would wait upon him in the morning as early as Colonel Fullarton wished ; or that, if it was any thing very particular, Mr. Woodyear would come immediately. Colonel Fullarton made answer, that it was nothing very particular, only that he wished to go to church in the morning ; and that if Mr. Woodyear waited on him between eight and nine in the morning, it would be time enough ; which message I delivered to Mr. Woodyear, who immediately went to bed without going out any where.

(Signed)

J. L. ALFRED,  
Servant to Mr. Woodyear.

Sworn to before me, this 17th February, 1803.

(Signed) JOHN NIHEL,  
Chief Justice.

A true Copy, taken from the original in the Council.

(Signed) GEO. UNWIN,  
Deputy Clerk.

Trinidad Minutes.

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No. XV.

*Mr. Woodyear's Affidavit.*

At the hour of nine o'clock in the morning (or thereabouts) of Saturday the 12th February, 1803, I waited upon His Excellency Colonel Fullarton, as usual, to take his Commands, in the capacity of Secretary to the Board of Commissioners for governing this Colony, Colonel Fullarton being the first named in the Commission for that purpose.

Shortly after my being in the room, a woman of colour (who proved in the sequel to be *Madame Duval*) presented herself, and was received by Colonel Fullarton, who entered into a conversation with her, not one word of which did I hear. Colonel Fullarton then took me into the first gallery of his house, and informed me that application had been made to him some time since (I think a fortnight) by some female relative of this woman, that she might be permitted to come to this Colony for the settlement of her affairs ; and His Excellency says he added (but I did not so understand him), that he had given her his permission to remain here for a short time. Colonel Fullarton then desired me to go to General Picton with the woman, as *I conceived*, for his approbation ; and this appeared to me to be the only reasonable construction, as His Excellency Colonel Fullarton added,

added, "that he wished I would convey to General Picton his decided opinion, that every obstacle should be thrown in the way, to prevent *this description of people* from coming to the Island, of which he thought there were already too many." This sentiment I did convey to General Picton in the most pointed manner.

After our conversation finished, I found that the woman was gone on; and when I arrived at General Picton's, and informed him that a woman of colour had been with Colonel Fullarton, from the Main, who desired her to come to him, General Picton immediately said, "Sir, she has been here, and I have ordered her to be taken on board again, as she is a most notorious Brigand, and a very dangerous person to be allowed to remain in this Colony," or words to that effect. If I had so understood Colonel Fullarton, I should certainly at this moment have communicated to General Picton the circumstance of her having received a permission from His Excellency to remain for a short time. Such, however, not being the case, I reasonably conceived the business to be settled in the proper course, and did not feel it my public duty to move farther ~~in the matter~~ at that time, as I had a great deal of the ordinary routine of business to attend to in my office. I heard no more of this business till about two o'clock, when Mr. Burke came to me, and presented a paper signed by General Picton. I asked "from whence it came?" He answered, "from the Colonel." I replied, "for what purpose?" He said, with a shrug of the shoulders, "I don't know—that you should see it, I suppose." Here our conference ended, and he went away.

I felt it my duty to General Picton to deliver him the paper with his signature, and, as Mr. Burke states in his paper, it was Colonel Fullarton's desire I should do so, I conceived it was the direct official line of conduct I ought to have observed. The consequence of this, was a meeting and altercation between Colonel Fullarton and General Picton, the result of which I deplore as much as any man living can do. Between nine and ten o'clock at night I received a Note from Colonel Fullarton, to see me. I was just going to bed, and sent to excuse myself till morning, by my servant, who brought me an answer from Colonel Fullarton that *that* would do. These are the whole of the circumstances of this unfortunate business, as far as my public situation and duties have any relation thereto.

So help me God.

(Signed)

JOSEPH M. WOODYEAR,  
Secretary of the Commission.

Port of Spain, Trinidad, Feb. 18, 1803.

Sworn to before me, this 18th day of February, 1803.

JOHN NIHEL,  
Chief Justice.

P. S. The

P. S. The paper which Colonel Fullarton alludes to, in his Statement to the Council, I solemnly declare, upon the oath I have taken, I was surprized into the signature of; and I hereby retract it. Colonel Fullarton might have told me as he asserts; but the only permission I understood him to have given to the woman, was to come to the Island, but not to remain; as I did not suppose it possible that Colonel Fullarton could have so far forgot the relative situations between himself and General Picton, and the duty he owed to the latter, as a conjoint Representative of His Majesty, as to adopt such a line of conduct.

(Signed) J. M. WOODYEAR.

A true Copy, taken from the original in the Council Minutes.

(Signed) GEO. UNWIN,  
Deputy Clerk.

A Copy.

T. W.

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No. XVI.

*Statement by Mr. Burke, respecting the Conversation between Mr. Woodyear and him.*

IN addition to what I stated to have taken place in the conversation between Mr. Woodyear and me on the 12th February, relative to General Picton's order concerning Madame Duval, I likewise have to assert, that after I related the circumstances alluded to in that Statement, Mr. Woodyear remarked in a pointed manner, that "he was sorry for it;" and that Colonel Fullarton should act very cautiously, as such proceedings would give General Picton's enemies a triumph. At these, or similar words, I replied: "I am not authorized to answer, much less to give opinion, on such subjects." I furthermore remarked, that Colonel Fullarton would never issue, knowingly, an order, in opposition to General Picton's; and taking out my watch, I said, "please remark, that this order of General Picton has been given five hours after the Colonel's;" on which Mr. Woodyear shrugged up his shoulders; and nothing more was said on either side.

JOHN BURKE.

No. XVII.

## No. XVII.

*Affidavit of Messrs. Adderley, Burke, Hill, Vint, and Williamson,  
respecting Mr. Woodyear retracting his Declaration.*

*Trinidad.*

THE undersigned voluntarily appeared before me, John Nihel, Esq. Chief Justice, and made oath on the Holy Evangelists, that on the morning of the 13th of February, Mr. Woodyear waited on Colonel Fullarton; that, in their presence, the annexed Paper was presented to Mr. Woodyear for his perusal; that after the first reading, he assented unconditionally to the truth of the statements therein contained; that Colonel Fullarton desired him to read it attentively, as some discussion had taken place between General Picton and him, which would render both their signatures necessary; that Mr. Woodyear again perused the Paper; made an objection, saying, "I do not recollect whether it was sister or near relation;" that Colonel Fullarton replied, "read on, you will find I have added the words, or near relation;" and that then Mr. Woodyear professed himself perfectly satisfied, and signed the Paper in their presence. They farther make oath, that from the time which elapsed between the first and second reading of the above Paper, from the collected manner in which Mr. Woodyear pointed out what appeared to him a verbal mistake, and from the conversation which ensued between him and Colonel Fullarton previous to the signature, they do not think it can be possible Mr. Woodyear could be surprized into the signature of a Paper, of the truth of which he was not convinced.

(Signed) GEO. AUG. ADDERLEY,  
JOHN FRANCIS BURKE,  
ROBERT HILL,  
HUGH VINT,  
THOMAS WILLIAMSON.

Sworn to before me, this 19th of March, 1803.

JOHN NIHEL,  
Chief Justice.

## No. XVIII.

*Colonel Fullarton's Minute of the 19th March, in answer to B. G. Picton's Minute of the 17th, read in Council on the 24th March; and various other Documents entered on the Minutes of Council.*

*March 19, 1808.*

FROM the mode in which the business of the Commission and of the Council has lately been conducted, Colonel Fullarton entertains little expectation of any benefit resulting at present from any statement in his power to make. He feels it his duty, however, on this occasion, to represent the serious evil to the Colony, and the disappointment to His Majesty's Ministers, which must unavoidably arise from the discordant sentiments of the Commissioners, and the interruption and counteraction to all the leading objects specified in the Instructions. The obstacles which have opposed the preparations for establishing the White Settlers; the refusing the application of the Surveyor-General, for a Schooner to enable his survey and researches to extend around the Island, will occasion the loss of the present favourable season; and the refusal to permit the Intendant of Police, the Chevalier de la Sauvagerie to act, is accompanied by a total neglect of the attention necessary for the cleanliness, health, and safety of this town.

The Merchants and the Public at large, are left without their Letters for weeks after the London Mail has arrived at Barbadoes, and after the Naval and Military Departments have received their Dispatches.

The Militia remain without any one to order or inspect them.

The Minutes of Council have not been transmitted to Lord Hobart, although copies of them previous to the 10th February were long ago prepared by Colonel Fullarton's directions. Even a Public Letter is not prepared, to inform Lord Hobart, by His Majesty's Ship Excellent, of these and other material circumstances.

As for Colonel Fullarton, so far from having any power to remedy these and other evils, his Colleagues, in the Letter which they dictated on the 14th of March, request to know in what part of the Instructions he is allowed to absent himself from the Commission without regular permission, or to make any separate examination or report without consent of the majority of the Commission. If these queries were admitted as affirmative positions, they would not only depose him from any exercise of his duties as a Commissioner, but would disfranchise him from the privilege of writing, conversing, corresponding, or moving from one place to another, without an order or permission from his Colleagues.

In his Letter of the 12th of March, Colonel Fullarton expressed his earnest desire to abstain from all tone of contest, which only tended to.

to degrade the Commissioners, and to interrupt all public business. His Colleagues dictated three different Letters to him, in consequence of receiving the intimation of his intention to leave them to perform the daily duties of the Commission: in the last of these Letters, they urge him to meet them in Council on the 17th March. After such communication, he went, in full confidence that matters would be conducted on terms becoming Gentlemen and Members of Council.

It is difficult to express his sentiments, on receiving the aggravating incivilities which occurred at that Meeting.

Colonel Fullarton now moves, that the following Papers be read and entered on the Minutes: first, his Statement to the Commission on the 12th of March, together with the Papers to which it refers; including the Queries to the Cabildo, of the 9th of March, and the Representation of the 28th of February, of which last Document Colonel Fullarton had no intimation from the Cabildo, until he observed it quoted in the Answers to his Queries, and applied in writing for a Copy of the Act.

To these are added a Copy of a Spanish Law, tit. 6th, lib. 7th, of the Recapitulation dellas Indias, declaring, that no one can be imprisoned without specification of his crime.

Colonel Fullarton also moves, that his Letter of the 9th of March, to Archibald Gloster, Esq. Attorney-General, may be read, and entered on the Minutes, as well as the Answer.

Colonel Fullarton farther moves, that his Statement, dated the 19th March, in answer to B. G. Picton's Minute of the 17th of March, be read, and entered on the Minutes, together with the Affidavits of Messrs. Adderley, Burke, Hill, Vint, and Williamson, and Mr. Burke's separate Declaration, all confuting Mr. Woodyear; and that Copies of these Papers, and of all Minutes of Council since the opening of the Commission, be transmitted, by the first opportunity, to the Right Hon. Lord Hobart.

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*Port of Spain, March 19, 1803.*

Colonel Fullarton moves, that the following Statement be read, and entered on the Minutes of Council.

On the subject of the Affidavit by Mr. Woodyear, Colonel Fullarton will not offer any comments, except merely to observe, that the Paper marked N. 1. which Mr. Woodyear signed, is proved by the annexed Declaration to have been carefully perused by Mr. Woodyear, before he and Mr. Woodyear subscribed their names. If any surprize has occurred on this subject, it must arise from the retracting upon oath a written paper deliberately signed.

With respect to the Paper produced by B. G. Picton, Colonel Fullarton must, in the first place, remark on some expressions in that Minute, that they are to be submitted to the consideration of His Majesty's

jesty's Ministers, who will determine how far such terms are proper to be used by one Officer, or received by another. His answer to the other parts of the Minute are anticipated by his Letter of the 9th of March to the Attorney-General. The term insidious has too little connexion with Colonel Fullarton's character and habits, to require an answer, except to shew, that the bare mention or enumeration of judicial proceedings in this Colony calls forth ungracious epithets, and seems to account for the impressions very generally received, that any attention to the ordinary course of justice would, by implication or otherwise, be considered as offensive.

Colonel Fullarton can hardly think the General serious, when he states that he would have considered it as an insult, if Colonel Fullarton had intimated the permission granted to Madame Duval to return for a week within the Colony. This may perhaps explain Mr. Wood-year's reason for omitting to communicate to General Picton the intimation he received from Colonel Fullarton, but can hardly be admitted as the principle upon which the business of the Commission ought to be transacted.

Does the General mean to state to the King's Ministers, that Colonel Fullarton must not presume, in this Island, to express any opinion, or to intimate any intention of his own, without previously knowing that it has received General Picton's approbation?

Does the General mean to state, that the English hold this Colony on so insecure a tenure, that the admission of an old Frenchwoman for a week, is to occasion well founded dread, or to overturn the Government?

Will Commodore Hood hazard his reputation upon such propositions?

When there were only two Commissioners in this Island, and the casting vote in Colonel Fullarton, can it be seriously asserted, that Colonel Fullarton had not the right of granting a permission, and of intimating his intentions through the Public Secretary?

If the General disapproved, and thought Madame Duval, or any other person, dangerous to be admitted, he was at full liberty to express his dissent, in proper terms, at the first meeting of Council, or otherwise, as he thought right; he could not, however, be justified in issuing a counter-order.

But on what principle, short of absolute and despotic power, vested in General Picton's person, can it be maintained that Colonel Fullarton commits an offence against him, by granting a permission, by visiting the jail, by moving for a list of punishments, or by directing the Jailer to report, as he ought to do, the reception of all prisoners, the specification of the crimes for which they are committed, and the sentence pronounced before the punishment be inflicted?

These are points on which Colonel Fullarton not only has a right to be

be informed, but he would be guilty of serious breach of duty, if he neglected to procure the necessary information; especially after having learned from Mr. Beggorat, a Member of Council, that slaves had suffered torture to extort confession.

It was no less the duty, than the inclination of Colonel Fullarton, to consult with his Colleague; but he is yet to learn, by what magical influence those consultations, and the honourable principles of his Colleague, could secure him from all possibility of imposition.

He apprehends that the General himself has been egregiously imposed upon by the honourable and worthy men, who have informed him, that intriguing, ill-designing bankrupts in fortune and reputation, poison all the sources of Colonel Fullarton's information, and are consulted with by him, to the exclusion and annoyance of all prudent persons.

Colonel Fullarton, since his arrival, has constantly and personally conferred with all descriptions of English, Spanish and French subjects.

He shall never conceive that he descends from any situation, by attending to the applications of those whose interests he is bound to protect and promote. On his arrival, he expressed his wishes to the leading persons of every class and profession, to be informed of all matters which they conceived conducive to their own welfare, and to the improvement of the Colony.

Some time afterwards a respectable body of British Merchants and Planters proposed a Meeting, in order to express their sentiments to the Commission, on some points of great importance to the credit and commercial prosperity of Trinidad; but, finding that the proposal offended General Picton, they desisted, and the advertisement, signed by James Rigby, Esq. announcing the intended Meeting, was postponed.

With respect to the Spanish population connected with this Island, so many individuals are stated to have been banished and otherwise punished, and so many uncomfortable circumstances have occurred to excite apprehension and alarm among them, that a long series of mild government, and of judicial security of persons and of property, will be required, before any considerable number of that race of men, so valuable to our commercial interests, can be prevailed on to trust themselves among us.

This will not surprise those who know at this moment, that Andrea D'Espana, of a respectable family on the Spanish Main, remains in prison, after many months imprisonment, without any charge against him, as far as can be discovered, and without any person bound to prosecute.

Mr. St. Jago de Marino has been banished from a large possession, on the Island of Chaca Chacorea, because he inadvertently landed, or employed, a Mulatto who had fallen under General Picton's displeasure.



sure. Admitting this to have been an offence, it surely will appear an arbitrary and cruel act, to continue that banishment, equal to a forfeiture of a large property, for such an offence.

Another instance occurred, in which a Spaniard is stated to have been executed without trial, having been suspected or charged with inveigling some soldiers from hence.

Also a Spaniard named Celestino, from St. Joseph's, is stated to have been executed without trial, under the charge of being a Revoltoso.

It is also stated, with what degree of truth Colonel Fullarton will not assert, that a Proclamation or Advertisement was issued under the Spanish Government, offering a large reward for the head of General Picton, in consequence of the severity with which he acted against the Spaniards.

With respect to the Free People of Colour in this Island, neither Colonel Fullarton's motives nor his modes of acting are concealed, although at variance with the modes which have been practised under the Government of General Picton.

They are admitted to be a numerous class, and must certainly prove dangerous, either when ruled on the one hand with severity and oppression, or with too much lenity and relaxation on the other.

Colonel Fullarton maintains, that he, as a Commissioner, is individually entitled to grant permission to any person to come into this Island for purposes of business, intelligence or otherwise, excepting only such as have been banished by the sentence of a Court of Justice, regularly recorded.

He has, however, abstained from the exercise of this power, almost in every instance; and in some cases, has to accuse himself of having acceded to the exclusion of persons from this Island, directly contrary to the principles of the Treaty of Peace with France.

When these exclusions are used to stop all sources of intelligence, or to gratify personal animosities and resentments, they must become a powerful instrument of oppression. If any apprehension has been excited on this subject, it must arise from the anxious industry with which misrepresentations injurious to Colonel Fullarton have been circulated. Of this, a strong example has occurred in the case of Mr. Noel, Commandant of the Carenage, who wrote an insulting letter, complaining that Durand, a free Mulatto, had been released from prison, after confinement from the 4th to the 8th of March. It is proved, however, by Mr. Noel's own letter of the 6th, received the 7th of March, that he had not sent any specification of Durand's offence, and his written order of the 4th of March to the Alguazil, was to conduct Durand to jail, "Pour y rester jusqu'a nouvel ordre."

The sanction given by Colonel Fullarton's Colleagues to such irregular proceedings, directly violates the principles of Spanish law, English law, and the printed regulations of this Colony. It has been  
Colonel

Colonel Fullarton's object to urge an adherence to the existing ordinances; to avoid every species of change or innovation in the Colony, till His Majesty's Ministers shall have received a Report from the Commissioners, and signified the King's Pleasure on these important objects.

He has farther laboured, though without effect, in the mildest manner, to prevent those dangerous and capricious deviations from established ordinances, which have long excited apprehension among all classes of this community.

A similar reply is applicable to General Picton's observations of interference with the duty of Magistrates and Commandants of Quarters. All that is required on their part, is to perform their respective duties agreeably to the existing laws and printed regulations.

The charge, that no punishment was allowed to be inflicted in prison without an order from Colonel Fullarton, and that the power of Masters and Magistrates was superseded, is contradicted by the daily reports and records of the prison, and by the evidence of the Jailer, Vallot, who declared before the Council, that slaves had continued to be punished as occasions occurred. This was confirmed by Vallot's assistant, Porto Rico, who on his examination, positively declared, that Colonel Fullarton, in person, had desired him not to maltreat the slaves in prison, but when they behaved ill, that they must of course be chastised.

The accusation seems to have had no other foundation than a verbal intimation, soon after Colonel Fullarton's arrival, through Mr. Wood-year to the Jailer, directing him to report all prisoners received, and all punishments ordered before they were inflicted. Next day, however, Judge Black wrote to the Jailer, by desire of Colonel Fullarton, to prevent the possibility of mistake in consequence of Mr. Wood-year's communication.

It required no common industry and ingenuity, on such grounds to raise the ridiculous reports circulated in the Island, and stated in the Council, that the fetters of the slaves had been struck off or altered; that no slave was to be punished, and that all subordination of course must be at an end.

Considering the jail of this town as the great repository of all the slaves, debtors, felons, delinquents, or other persons confined within the Colony, Colonel Fullarton shall not conceive that the Commissioners have done their duty, until it be put under proper regulations; and until proceedings respecting commitments, trials, and punishments, be conducted on the principles of sound law, it would be in vain to look for public confidence, or personal security, in this Island.

In addition to the General's motion, that the Alcaldes be called on to produce all criminal proceedings in their respective offices, it would be requisite to produce lists of all the persons who have been confined

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without

without any specified offence ; and of those who have been executed, banished, or otherwise punished, without any trial whatever.

When the Records of these criminal proceedings, and the lists now stated, have been fully discussed, and all the charges fully answered ; when General Picton shall be acquitted of the serious imputations under which he labours ; when Colonel Fullarton and he shall be relieved from their present situations, and return to England, it will then be requisite for the General to discuss in another manner, on what principles he felt himself entitled to express himself, respecting Colonel Fullarton, in terms equally unbecoming the character of an Officer and a Gentleman.

In order to prevent all possibility of misapprehension, Colonel Fullarton feels it incumbent on him to add, that in his view, B. G. Picton cannot remove the heavy imputations under which he labours, until he has undergone a public trial, and obtained a verdict of acquittal on the imprisonment of various British Subjects, stated to have been illegal and oppressive ; and among many others, on the following charges :

For the execution of the Spanish Peon Celestino, from St. Joseph, stated to have suffered for a very slight disturbance, without any form of trial whatever.

For the execution of the Commander of a Spanish Launch from Margarita, stated to have been hanged and beheaded without any trial.

For the application of torture, to extort confession from a Guaycary Indian of Margarita, who sailed in the Launch with the above-mentioned Spaniard.

For the application of torture, to extort confession from Louisa Calderon, a girl under fourteen years of age, respecting a robbery supposed to have been committed by Carlo Gonzalez against Peter Ruez, stated to have been frequently employed as an agent by General Picton. The torture is stated to have been applied two successive days, in presence of Mr. Beggorat, with such severity, that the girl fell down in appearance dead, and there was no physician nor surgeon to assist.

For the execution of Jean Baptiste Richard, a French Mulatto, stated to have suffered without trial, under pretence of his having corresponded with fugitives from Guadaloupe established on the Main.

For the seizure and detention, in a dungeon for eighteen months, of Estevan Dubois, a free Spaniard from the Main.

For the condemnation and punishment of a free Spaniard from Valentia, married in Margarita, stated to have been flogged through the streets on the accusation of some of the Seamen, without any trial or means of defence.

For the illegal and long detention in prison of Jean Baptiste Savignor, a minor, stated to have remained confined without any accusation

tion or trial, and at last to have been released before the arrival of the Commission, leaving B. G. Picton in possession of fifteen Negroes, stated to be employed on his estate.

For the execution of a Spanish mariner, named Alançon, who sailed on board a Schooner belonging to Mr. Cipriani; was stated to have been put in prison without any specification of the crime, and hanged in a few hours without any trial.

For the illegal imprisonment and cruel treatment stated to have been inflicted on Mrs. Griffiths and her daughters, on account of a house from which Mrs. Rosetta Smith, housekeeper to General Picton, is stated to have obtained a military force to effect the ejection.

For the execution of a number of Soldiers belonging to the German Corps, stated to have been executed as deserters without any trial.

For the execution of Hugh Gallagher, a Soldier in the Artillery Corps, stated to have been executed without any form of trial whatever, for a crime which another Soldier is stated to have declared on his death-bed that he perpetrated, and that Gallagher was innocent.

For the formation of a Commission in which the torture is directed to be applied, if necessary, and for the repeated application of torture, mutilation and death on the following free Mulattoes, free Negroes, and Negro Slaves; many of whom appear, from the Proceedings and Documents, to have been condemned without proof, and to have suffered for imaginary crimes.

La Fortune, Aubinot, Louis Cæsar, La Rose, Pierre François, Bouque, Leonard, Thisbè, Felix, Antoine, Louisson, Theoliste, Nicholas Julie, Manuel, Michel Gardon, Joseph Fausten.

Also for cruel severities inflicted on Benoit, Pyrame, Petit George, Serpent, Elizabeth and Rachel, detained in prison since last December under circumstances tantamount to torture, although upon their trials, which are finished, no evidence has appeared to condemn them.

In particular, for having ordered Yala and Jouba to be mutilated by his own authority, directly contrary to the sentence of the Judges, which he annulled.

For granting dispensations to relations in the forbidden degrees of consanguinity, and ordering the Curate of Port of Spain to marry them.

Under these circumstances, the character of B. G. Picton, and the national character of England, require that such imputations, prevalent as they undoubtedly are, should not remain without an opportunity of refutation.

As soon as General Picton shall have cleared himself from these and similar charges, he will have reason to thank God for the occasion now afforded him of retrieving his character from imputations, which, if proved, would far surpass the unjust and cruel acts committed by

Judge Jeffryes and Colonel Kirk, and would stand unexampled in any period of the British Annals.

This exculpation, however, cannot be effected, if the system so long complained of be continued; of banishing from this Island, without any form of trial, any person under the displeasure of B. G. Pictou, or suspected of being capable to give evidence against him. !

Under these impressions, Colonel Fullerton moves, that no person shall be henceforth banished from this Island without a regular specification of the offence, followed by a judicial trial and condemnation, until the pleasure of His Majesty's Ministers be known; and that all the Criminal Proceedings since the commencement of the late Government, be printed, together with lists specifying every individual, of whatever country, colour or condition, who has been imprisoned, banished, fettered, flogged, mutilated, tortured to extort confession, hanged, burned alive, or otherwise punished; also specifying the dates of their respective commitments, punishments, and of all those who have died in prison.

## No. XIX.

*Copy of a Letter to Colonel Fullarton, requesting him to appoint a time for explaining some parts of his Letter.*

*Port of Spain, March 12, 1803.*

SIR,

I AM desired by Their Excellencies the Commissioners, to request you will be pleased to appoint some time, when it will be convenient for you to explain in person some passages in your Letter of this date.

I have the Honour to be,  
With the greatest respect,

SIR,

Your most obedient and most faithful Servant,

GEO. AUG. ADDERLEY,  
Public Secretary,

*His Excellency Colonel Fullarton, &c. &c. &c.*

## No. XX.

*From Colonel Fullarton to the Commissioners, offering to explain any part of his Letter of the 12th of March.*

*Port of Spain, March 14, 1803.*

COLONEL FULLARTON presents his best Respects to the Commissioners, and will be extremely happy to give any information in his power, on any points in his Letter of the 12th instant, if they will take the trouble to mention the particulars which require explanation\*.

\* These Documents, although apparently frivolous, are inserted to prove various mis-statements on the part of the Junior Commissioners, which appear on the Trinidad Minutes of Council, and in other Official Communications.

## No. XXI.

## No. XXI.

*To Colonel Fullarton from the Commissioners, desiring to know if he has withdrawn himself from the Commission.*

SIR,

THE Commissioners are desirous of knowing if you have withdrawn yourself from the Commission.

I have the Honour to be,  
With the greatest respect,

SIR,

Your most obedient and most faithful Servant,

GEO. AUG. ADDERLEY,  
Secretary.

By Order of Their Excellencies.

*To His Excellency Colonel Fullarton, &c. &c. &c.*

## No. XXII.

*From Colonel Fullarton to Mr. Adderley, disclaiming any inclination or power to withdraw from the Commission.*

*Port of Spain, March 14, 1803.*

SIR,

IN answer to your Letter just now received, I request you will take the trouble to inform the other Members of the Board, that I am neither inclined, nor entitled by my Instructions, to withdraw from the Commission. Nothing which I ever said or did, could possibly lead to any such supposition.

My Letter to the Commission on Saturday, distinctly expresses the mode in which I feel it my duty to act. My Note of this morning to the Commissioners, was in answer to the Minute of Saturday, and to your Communication, expressing that the Commissioners wished for some explanation on the subject of my Letter of the 12th instant.

I have the Honour to be,  
With great regard, Sir,  
Your faithful and obedient Servant,

W. FULLARTON.

*George Adderley, Esq. &c. &c. &c.*

No. XXIII.

## No. XXIII.

*From G. Adderley, Esq. by Order of the Commissioners.*

*Council-Chamber, March 14, 1803.*

THE Commissioners sitting, request of Colonel Fullarton, to know in what part of the Instructions any Commissioner is allowed to absent himself from the Commission without regular permission; and in what manner the wishes and positive directions of Government can be carried into execution, by any one Commissioner making separate reports or separate examinations, without the consent of the majority of the Commission.

GEO. AUG. ADDERLEY,  
Sec. to the Commission.

By Order of the Commissioners.

## No. XXIV.

*Letter from the Commissioners, requesting Colonel Fullarton's attendance on Money Matters To-morrow in Council.*

*Council-Chamber, Port of Spain, March 16, 1803.*

VARIOUS applications having been made to the Commissioners assembled, for the appropriation of the Public Money; they conceive they cannot with propriety proceed in this business, without the presence of the First Commissioner, and request he will meet them to-morrow in the Public Council.

By Order of Their Excellencies.

GEO. AUG. ADDERLEY,  
Secretary.

*His Excellency Colonel Fullarton, First Commissioner.*

## No. XXV.

*From the Commissioners, requesting to know if Colonel Fullarton means to add further Crimination.*

*Council-Chamber, March 25, 1803.*

It appearing to the Junior Commissioners, that the First Commissioner having neglected to cause the necessary proposals for putting into



into execution the Instructions of His Majesty's Ministers, and having formed a frivolous excuse of visiting the Island, to prevent his attending the Commission, although he never stirred from the Town, but, as appears from the voluminous Papers he laid before Council yesterday, he must have been employed in endeavouring to criminate the persons of the Junior Commissioners; the undersigned beg to request of the Senior Commissioner, to know if he means to add farther criminalations, or proceed in the actual duty of the Commission.

(Signed)

THOMAS PICTON,  
SAMUEL HOOD.

*His Excellency Colonel Fullarton,  
First Commissioner of Trinidad.*

### No. XXVI.

*Declaration on Oath by Messrs. Adderley, Burke, Mackenzie, Hill, and Vint, respecting the Imprisonment of Mr. De Castro, Escrivano of Government.*

*Port of Spain, March 28, 1803.*

ABOUT six o'clock this evening we attended Colonel Fullarton to the house of Mr. Black: on entering we saw Mr. Black and Mr. St. Pé, with Mr. De Castro sitting beside them.

Colonel Fullarton inquired of Mr. De Castro, if he was under confinement? He replied, "Yes." Mr. Black said he had taken charge of him. Colonel Fullarton asked, "Whether as Alcalde or Councillor?" He replied, "That as Mr. De Castro was a Regidor, it was not proper he should be sent to prison, and he had taken charge of him at the desire of the Council."

The words were,  
"eventuement  
il y va de la po-  
tence."

Colonel Fullarton told Mr. Black that this was a serious business, involving questions of felony, and which in their consequences might lead eventually to the gallows; all persons should therefore be careful how they acted, and particularly the Judges, Messrs. Black and St. Pé. He also stated, that if Mr. De Castro had refused the papers, he would have been guilty of a high breach of duty; and that in consequence of the apprehension and imprisonment of this gentleman, a report had gone abroad among the Spaniards and others, that every person thought capable of giving evidence in any case against General Picton, would be confined and brought to punishment; he then requested Mr. Burke would bring some Gentlemen to verify the fact of Mr. De Castro's imprisonment.

Mr. Burke returned with Mr. Mackenzie, Mr. Hill, and Mr. Vint; who declare that they heard the principal part of the above stated conversation

conversation repeated. Mr. Black informed Colonel Fullarton, that he would not deliver Mr. De Castro without force. Colonel Fullarton answered, he would then leave him with Mr. Black; and he corrected the misapprehension entertained by him, that the expressions of felony alluded to the detention of Mr. De Castro, by clearly and at length explaining that these words applied to the object in discussion.

Mr. Adderley inquired of Mr. De Castro, whether he had ever delivered similar papers to any other person in the Government? he replied—Frequently to General Picton.

In order to prevent any insult from being offered to Mr. De Castro, Colonel Fullarton, in our presence, appointed him to act as Commissary of Population, during the absence of Major Williamson.

GEO. AUG. ADDERLEY.  
JN. BURKE.

We declare, that the part of the above declaration which states what passed in our presence, is true.

HECTOR MACKENZIE.  
ROB. HILL.  
HUGH VINT.

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No. XXVII.

*Letter from the Commissioners respecting the Criminal Records delivered by Mr. De Castro to Colonel Fullarton.*

SIR,

*Port of Spain, March 30, 1803.*

I AM directed by Their Excellencies the Commissioners to state to you, that the principal part of His Majesty's Council understanding that the Criminal Records delivered to you by Mr. De Castro, have not been returned, and that you had embarked on board a schooner; they had requested of Their Excellencies to take the necessary steps to prevent their being carried off the Island.

They therefore desire me to express their surprize that their former Letter on this subject has not been noticed, and to request those Papers may be immediately delivered to the proper office.

I have the Honour to be, with the greatest respect,

SIR,

Your most obedient and most faithful Servant,

GEO. AUG. ADDERLEY,  
Secretary.

No. XXVIII.

## No. XXVIII.

*Letter from Colonel Fullarton to George Adderley, Esq. concerning Criminal Records.*

SIR,

*On board the Start Schooner,  
Port of Spain, March 30, 1803.*

IN answer to your Letter just received, respecting the Criminal Records, thirty-six in number, delivered to me by Mr. De Castro, I request you to inform the Commissioners and Council, that any one who would carry Criminal Records off the Island, must either be extremely ignorant of Public Duty, or must act in direct violation of it; except in cases where forcible or illegal proceedings might render such a measure unavoidable. In the present instance, all the Criminal Records to which your Letter refers, were safely deposited by me on shore. They will be delivered into your hands as Public Secretary and Provost-Marshal, in presence of Mr. De Castro, by Messrs. Hayes and Proby, who at this moment do not know where the Papers are. But the Papers shall be put into their hands, provided they are officially assured of being permitted to take Notarial Copies of the same, and then to deliver them either to you or to George Unwin, Esq. Secretary of the Council, taking his receipt in Mr. De Castro's presence, for the Papers in question, specifying the particulars of each Criminal Record.

I have the Honour to be,

With true regard, Sir,

Your most faithful and obedient Servant,

W. FULLARTON.

*George Augustus Adderley, Esq. &c. &c. &c.*

## No. XXIX.

*From the Commissioners, respecting the Criminal Records.*

It appears extremely strange to the Commissioners sitting in Council for the government of this Island, that the First Commissioner, after having signified his intention, under various pretences, of not coming to the Commission, and desiring the other two Commissioners to carry on the duty of the Commission without his attendance, should attempt to order the Keeper of the Public Archives to deliver to him all the Criminal Records in *mass*, without taking the smallest account of them, either specifical or numerical; and that, on his being required by the Commission to return them, when they found he was proceeding to sea, he should state those Public Records, which he calls thirty-six in number, to be placed where no person in any public situation

tion knew their deposit, by which they were subject to be stolen, lost, or destroyed; that he should likewise request to be officially assured permission to take Notarial Copies, before he would even deliver them to the Secretary of the Commission and Provost-Marshal, or Secretary of the Council (who are not authorized by the Commission to receive them; that the First Commissioner also signifying in his Letter, if this was acquiesced in, Messrs. Hayes and Proby should deliver them to either of the aforesaid, taking receipts from Mr. De Castro, who, it appears, cannot verify, either specifically or numerically, these Records. And how strange it must still appear to the Commission, that these Records, after the Criminal Accusations of the First Commissioner, should have been taken from Mr. De Castro by him, without such receipt as he now requires and thinks his duty to obtain; to see those Public Records lodged in hands of persons most responsible to suffer for neglect or injury to such Papers.

They cannot but feel, with extreme regret, such injurious conduct of the First Commissioner, and to what danger the lives and properties of individuals are liable to suffer by this unheard-of conduct.

THOMAS PICTON.  
SAMUEL HOOD.

*Port of Spain, March 31, 1803.*

### No. XXX.

*Letter to Their Excellencies the Commissioners, 31st March, 1803, respecting the Criminal Records.*

*Port of Spain, on board the Start Schooner,  
March 31, 1803.*

IN answer to the observations of the Commissioners sitting in Council, respecting the Criminal Records, Colonel Fullarton has to state, that his Official Situation entitled him, as a matter of legal right, to direct Mr. De Castro, Keeper of the Public Archives, to furnish him with the Documents in question; and that Mr. De Castro would have committed a breach of duty if he had refused.

The imprisonment of Mr. De Castro, and his suspension, therefore, appear illegal acts, which cannot be justified in any Court of Law.

Colonel Fullarton has the good fortune to be conscious that he has never given occasion for regret, by any injurious conduct on his part, endangering the lives and properties of individuals.

Whenever Mr. De Castro is restored to his situation, and placed in perfect liberty, the Gentleman in whose custody the Papers are deposited,

sited, has Colonel Fullarton's instructions to preserve a Notarial Copy of each Paper, and to deliver all of them to Mr. De Castro, in presence of George Unwin, Esq. Secretary of the Council, and of Messrs. Hayes and Proby, who will receive Mr. De Castro's receipt or acknowledgment for the Records in question.

*To Their Excellencies the Commissioners.*

No. XXXI.

*General and Brigade Orders, 28th April, 1803, Port of Spain, Trinidad\*.*

G. O. 28th April, 1803.

Parole, RADNOR.

BRIGADE ORDERS.

Detail.

	S.	S.	C.	D.	P.
Artillery, - - - -	0	1	1	0	6
37th Regiment, - - -	1	2	3	1	24
9th W. I. ditto, - - -	0	3	3	0	21
12th ditto, - - - -	1	1	2	1	20
	<hr/>				
	2	7	9	2	74

The 12th W. I. Regiment give the Captain for the day to-morrow.

The Hospital Guard will consist of one Serjeant, one Corporal, and six Privates, until further Orders; the Sentry will be withdrawn from the house that was lately the Commissary's Store, and now occupied by Colonel Fullarton.

On the firing an Alarm (three guns from the Sea Fort), the Troops will immediately form in their respective Alarm-posts, in open column, of subdivisions, with the right in front; the Picquets will immediately assemble in front of the Brigadier-General's Quarters, with twenty-four rounds of ammunition, on the Captain of the day.

A Subaltern Officer of each Regiment will attend for Orders; the 37th will apply to the Ordnance Store-keeper for ball-cartridges, to complete the effective number of twenty-four rounds per man, but will not issue them except in case of an Alarm.

\* It is proper to observe, that these Warlike Preparations of the Brigadier's could not refer to any Declaration respecting the Enemy; for Lord Hobart's Letter, intimating that Hostilities with France were likely to re-commence, was only dated the 16th of May.

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The Regiments in town, the 9th and 12th W. I. will send in Returns to the Ordnance Store-keeper, of the number of ball-cartridges they may respectively want to complete them to the same number; and the Ordnance Store-keeper will, as soon as he gets the Returns from the above Regiments and from the different Militia Corps, have them packed up in separate boxes, marked with the name of the Regiment in chalk, ready to deliver on an Alarm. The Quarter-masters of those Regiments, on such an event, will attend, with sufficient number of men, at the place to be appointed by the Ordnance Store-keeper, to transmit the ammunition immediately to the Alarm-posts.

Captain Prevost, commanding the Royal Artillery, will have two field-pieces in readiness, to join the Picquets, whenever they are called out. The Alarm-post of the 37th Regiment is in the square at Orange-Grove Barracks; of the 9th W. I. Regiment, in front of the Hospital; and of the 12th W. I. in front of the Picquet Barracks.

#### No. XXXII.

*Militia Orders, 28th April, 1803, Port of Spain, Trinidad.*

#### MILITIA ORDERS.

**ALARM:** Three guns from the Sea Fort!!!

On the firing of an Alarm, the Trinidad Light Cavalry will assemble on the square opposite the Brigadier-General's Quarters, and form on the right of the Picquets;

The other Corps of Militia will assemble on their respective Alarm-posts;

The Colonial Artillery, opposite the old Arsenal;

The first battalion Royal Trinidad Militia, on the Esplanade opposite the Wharf;

The 1st Loyal Trinidad Militia in Brunswick-square, opposite the Church: the whole in open column, of subdivisions, with the right in front.

Captain Prevost, commanding Royal Artillery, will assign to the Colonial Artillery four four-pounders, with the necessary proportion of ammunition.

The other Corps will send in to the Ordnance Store-keeper Returns of their effective numbers, in order that twenty-four rounds per man may be packed up in portable boxes, ready to be delivered out at a moment's warning; and on the Alarm firing, the Quarter-master of these Corps will attend at the Ordnance Store-keeper's with the number of men necessary to transport the ammunition necessary to the Alarm-posts.

No. XXXIII.

## No. XXXIII.

*Proclamation of Martial Law by B. G. Picton.**Trinidad.*

By His Majesty's Commission for executing the Office of Governor of the said Island, and its Dependencies, &c.

On the firing of an Alarm (three guns from the Sea Fort), the Island is hereby declared to be under Military Law; so to continue until such Alarm shall be discharged, by firing five guns, in succession, from the same Fort.

On the Alarm firing, all proprietors of draught-horses or mules (whether employed in carriages of pleasure or carts) within Port of Spain, and the neighbouring quarters of La Vantille, Saint Anne, and Tragarete, are required, without loss of time, to assemble such draught-horses or mules, properly harnessed, under their respective drivers, in King-street, between the old Ordnance-yard and the Roman Catholic Church, in readiness to be employed, as the exigency of the Service may require; under the penalty of Two Hundred Dollars each Offender, to be immediately levied by Military Execution.

Given under my Hand and Seal, at Port of Spain, in the said Island, this 13th day of May, in the year of our Lord 1803, and in the forty-third year of His Majesty's reign.

THOMAS PICTON.

By Command,  
J. M. WOODYEAR, Sec.

## No. XXXIV.

*Letter to Lieutenant-General Grinfield, Commander in Chief, &c. &c. &c.*

*On board the Start Schooner, May 23, 1803.*

SIR,

It gives me great concern to trouble you with the following Communication. The fact, however, is, that Civil Authority in Trinidad, in so far at least as the King's Orders directed me to exercise any portion of it, has been usurped by the Military Commandant, B. G. Picton; and measures have been adopted, which have involved the Colony in consternation.

Under these circumstances, it seems a matter of propriety, to specify

cify some particulars to you, as Commander of the Forces, in order that you may give the requisite directions to prevent the Troops under B. G. Picton, from being employed to subvert the Government, which it is their duty to support.

You know, I presume, of course, that the King's Troops in Trinidad are commanded by B. G. Picton, not only entirely independent of any connexion with the Civil Power, but without the common form of intercourse and communication; insomuch, that when the 37th Regiment arrived, although I had the honour of seeing Colonel Hope, who is a man highly valued and respected, yet the Officers, as a Corps, were never presented to me by B. G. Picton in any form whatever. By this mode of demarkation, the Head of the Civil Government is immediately placed upon a footing which precludes him from shewing the attentions which are due on his part, and an appearance of incivility on both sides is the unavoidable effect.

The King's Instructions direct me to examine and report on the Military Positions, Stores, Magazines, Arms and Ammunition. But so far from being able to perform that duty, I have not even the power of obtaining a return or statement of the Military particulars, respecting which, the King's Instructions require me to report.

On the 13th or 14th of February, I understand, the Troops received orders not to give any aid, on application from the Civil Power, nor to interfere at all in the safety and protection of the inhabitants, without specific orders from B. G. Picton.

In fact, it happened on Sunday the 6th of March, when the Brigadier attended you at Chaguramos, that some riotous sailors attacked a storehouse; and J. R. Smith, Esq. Alcalde de Barrio, applied immediately to the Officer Commanding the Guard, but received for answer, that he could not interfere without an order from B. G. Picton, who was absent. Another similar refusal had previously occurred, and was officially reported by George A. Adderley, Esq. Provost-Marshal.

It is true, that the Brigadier-General sent me notice by Mr. Gloster, that on my application he would revoke these orders, which I believe afterwards took place; but the principle seems recognized in Trinidad, that Troops are not only to refuse the legal requisitions of the Civil Power, but that they are to obey the most illegal and felonious orders, if issued by B. G. Picton, such as torturing, hanging, shooting, and burning men, without any trial.

It is nevertheless established by the Laws and Principles of the British Constitution, that no illegal order can legally be obeyed; every Constitutional Writer of authority, from Judge Hales to Blackstone, maintains this doctrine; and the discussions in the House of Commons, reprobating the execution of Mustapha Cawn by Major Williams, although acting under the absolute orders of his Commanding



Officer, sufficiently evinced the sense of Parliament on this important question.

With respect to the incidents which gave occasion to this Letter, you are no stranger to the aggressions I received from B. G. Picton, respecting the permission granted by me to Madame Duval, to visit her property in Port of Spain for one week: I also submitted to you the proceedings respecting the suspension of the Public Secretary, Mr. Woodyear. It only remains for me to state some circumstances which have occurred since your departure from Trinidad.

I inclose copy of a Letter from me to the other two Commissioners, dated 12th of March, informing them, that, in obedience to the King's Instructions, requiring a Report, I proposed leaving Port of Spain, and proceeding on such a survey as might enable me to fulfil my orders: stating also, among various other matters, the disrepute attached to the unbecoming tone of altercation in which B. G. Picton conducted every discussion with me in Council.

I likewise inclose copy of a Letter from the Commissioners, dated 14th of March, asking if I intended to withdraw from the Commission, and my answer of the same date, declaring that I neither was inclined, nor entitled by the King's Instructions to do so. I farther transmit a Minute presented in Council by B. G. Picton the 17th of March, containing expressions of personal insolence respecting me; together with my answer, dated the 19th of March. The concluding part of my Minute specifies imputations against B. G. Picton, of so serious a nature, that it seems requisite for his character, and for the National Character of England, to clear himself by public trial.

It did not appear at all consistent with my modes of acting, to bring forward such imputations, without making them known, in the first instance, to the party concerned. On this principle, I read them in Council on the 24th of March, in presence of the General.

The outrage with which he received the Communication, if addressed to any person of as ill-regulated a temper as his own, would have occasioned his immediate death; for I was armed and he was not.—I put my hand to my sword, but did not draw it.

The Affidavits which have since been made by many most respectable Witnesses, in support of these imputations, leave little room to doubt, that, unless the Brigadier can clear himself, he ought to be reserved for a more appropriate exit.

At any rate, his memory must be for ever tarnished, if he precludes himself, by any act whatever, from the laudable endeavour to obtain a judicial acquittal. On the other hand, I should feel it injurious to my honour, if, in preference to every other consideration, I did not fulfil the duty imposed upon me, by bringing forward respectable evidence to support the imputations stated in my Minute of the 19th March.

On

On the 1st of April, I sailed in the Start Schooner to Union Island, to overtake the ship *Limlair*, and to dispatch Mr. Adderley to England, to inform His Majesty's Ministers of the outrageous acts of B. G. Picton, and to urge the necessity of his public trial.

I then proceeded to St. Vincent's, in hopes of finding you, and from thence to Dominique, with the same object, but having anchored for two days at St. Pierre's, in Martinique, in order to wait on the Captain-General and Prefect, you had sailed for St. Kitt's before my arrival at Roseau.

Being under the absolute necessity of proceeding with the Survey of Trinidad during the dry season, I could not venture farther to leeward, and returned to examine the coasts of Trinidad, where I have nearly completed the Survey necessary for the Report.

Soon after my arrival on the eastern coast of the Island, Mons. Thomazon, Commandant of Mayaro District, transmitted to me the enclosed Proclamation issued by the other two Commissioners, declaring that I was no longer considered as officiating as First Commissioner, and enjoining all persons to act accordingly. This is a direct violation of the King's Authority; of course it trenches upon insurrection, and may become the subject of Parliamentary Discussion.

Orders have since been issued by B. G. Picton, directing that on the firing of three guns, the Colony is to be under Martial Law, and an embargo is already laid on all shipping in Port of Spain. I ought not to omit, that the terror of the inhabitants is extreme, from the severities committed by B. G. Picton, and from his outrageous conduct since the exposition of his delinquency by my Minute of the 19th March.

Having arrived on the 17th May in the Gulf of Paria, I received intelligence from Port of Spain, that many of the inhabitants were anxious for my immediate return, in order to stop the cruel and tyrannical proceedings of the Brigadier; while others conceived that the order for putting the Colony under Martial Law, on the firing of three guns, was merely preparatory to resist my landing.

It was further stated, but I have not been furnished with a Copy of the Order, that B. G. Picton directed that, on the arrival of the Start Schooner in Port of Spain, if any person attempted to land from that vessel, the boat was to be fired on and sunk.

Nothing could be more gratifying to me than to meet B. G. Picton, either individually in action, or to attack him in a Military Post with any equal force; but in the present instance I should have engaged, *non equo Marte*, with as little conduct as a peace officer, who, trusting to the baton of a constable, in the present distempered state of Civil and Military Power in Trinidad, should singly charge an armed battalion. Had I been employed to take Port of Spain from an enemy by assault, I hardly know any General, of any service, whom I should wish

wish more sincerely to command against me than the Brigadier. With unlimited Civil and Military Power in Trinidad for more than six years, it cannot have escaped your notice what egregious mismanagement he has exhibited, and what absolute nullity of preparation, either for the preservation of Troops, or for the resistance of an enemy; while his projected System of Fortification around the heights to the eastward of the Town would have required an Army to defend the works, all of which are commanded by higher grounds, and the positions so unhealthy, that in a few weeks an Army would have ceased to be efficient; and the whole Plan, if extended without obstructing an enemy, would have proved only ruinous to the Treasury, and beneficial to individuals. I beg pardon, Sir, for this digression; but although my Commission in Trinidad is merely of a Civil nature, I am directed to report my Opinions on Military Plans and Positions in the Island.

If I had landed under the circumstances already stated, I must have ordered the Militia under arms. If the Brigadier had prevailed on any Regulars, Black Troops, or others, to resist my landing, or to fire a single shot, I must have ordered the Militia to charge bayonets. Here the Civil War must have commenced, at a moment when I do not know whether War is, or is not, declared against France.

I have therefore sacrificed all my personal feelings to the peace and welfare of the Colony. If the Brigadier continues to imprison, banish, torture, and execute, unfortunate victims without trial; if he persists in outraging people of all descriptions, and of persecuting them under the pretext of dangerous intentions, because they abhor and dread his tyranny, I shall not afford the opportunity of pretended commotion upon my account, and of vengeance which would infallibly be inflicted on the numerous objects of his displeasure, for any overt act of partiality in my behalf. At least, I shall abstain from any interference in the detail transactions of Port of Spain, until I shall ascertain and possess sufficient powers to afford effectual protection, and to quell violence.

Under these impressions, I determined to sail immediately to Barbadoes, to state the case to you, who alone possess the power, and of course, the responsibility, of rescuing the inhabitants of Trinidad from their present abject and degraded situation.

If you think it right that the charges against B. G. Picton should be brought forward in regular official form, his accusers are ready and anxious to appear, provided their persons and property can be safe, and the various witnesses in support of their allegations secured from outrage. You are no doubt aware, that, in the absence of the Third Commissioner, the Civil Power of the Second is subject, by the King's Commission, to my casting vote; so that it is in his Military capacity only that he can at present give any molestation, and in that capacity, most fortunately, he is under to your controul.

If

If any circumstance should prevent you from receiving charges, and from putting B. G. Picton in arrest, or from depriving him of the Military Power, which he so cruelly abuses, I trust that the subject will appear to you of sufficient magnitude to induce you to proceed in person to Port of Spain, and to take upon yourself the charge and safety of the Colony.

At all events, I most earnestly entreat you, on every principle of public duty and of private feeling, to issue such immediate orders, as may effectually enable my Wife and my Family, and all other persons under my, at present, unavailing protection, to embark from Port of Spain, without insult or molestation from B. G. Picton.

I need hardly add, that you are already well acquainted with my zeal and eagerness to facilitate all arrangements of preparation and defence which you may think requisite for Trinidad. Although I have no Military Power whatever, and therefore cannot possibly be held responsible for any Military failure or deficiency, yet if hostilities recommence, I shall be happy to embrace every opportunity of proving my inclination, however destitute of means, to promote the success of your exertions.

I have the Honour to be, with great respect,

SIR,

Your faithful and obedient Servant,

(Signed) W. FULLARTON.

Lieut.-Gen. Grinfield, Commander in Chief of the Forces,  
 &c. &c. &c.

No. XXXV.

*Letter from Lieutenant-General Grinfield.*

*King's-House, Tuesday, May 31, 1803.*

MY DEAR SIR,

I SHALL delay, till I have the pleasure to see you, to say any thing on the subject of your Letter of the 23d.

I am truly concerned I have not an apartment to offer you and the Gentlemen with you, but in every other respect I hope you will look on the King's-House as your own. We breakfast at eight, and dine at three. I flatter myself I may expect you and the Gentlemen at three this day.

Mrs. Grinfield's best Compliments.

Believe me, my dear Sir,

Yours very truly,

W. GRINFIELD.

No. XXXVI.

## No. XXXVI.

*Letter to Commodore Hood.*

SIR,

*On board the Start Schooner,  
May 24, 1808.*

I ENCLOSE copy of a Letter, which, under the present circumstances of Trinidad, it has appeared a matter of duty in me to address to General Grinfield, as Commander of the Forces.

It gave me great concern to learn from Mr. Adderley, Mr. Burke, Mr. Proby, and another Gentleman, that you had expressed yourself in their hearing, respecting me, in terms which cannot possibly remain without explanation.

Mr. Adderley stated, that on the 31st March you declared, that if the Start Schooner, on which I was then embarked, sailed without the register being at least signed by two of the Commissioners, you would take or sink the vessel, although the register was then signed by me, and was admitted to be a valid register at the Custom-house, without any further signature.

Mr. Burke came on board the Start, full of indignation, and in presence of Mrs. Fullarton and several Gentlemen, repeated the insulting terms in which you expressed yourself, respecting the charges which I read in Council against B. G. Picton, in his presence and yours.

Mr. Burke felt it a matter of duty to communicate the terms to me, but they are so different from your former modes and character, that I refrain from specifying them, lest I should appear to substitute the phraseology of a drunken Boatswain for the language of a Chief Commander.

Mr. Proby declared, that, in his presence, and before some other Gentlemen, you accused me of mistating some facts in the Minute which contained the imputations charged against B. G. Picton. The sentiments and opinions expressed in that paper, will answer for themselves. The facts are all verified by indisputable vouchers, by respectable declarations, and by depositions upon oath.

All these proofs would of course have been shewn to you, had you not, on hearing my Minute read in Council, declared that you considered it as a libel on His Majesty's Ministers. A number of other illegal and atrocious acts, stated to have been committed by B. G. Picton, have been communicated to me, and proof of them offered upon oath.

The voice of all honest and unbiassed men in the community, will rise up in judgment against him, as soon as they are relieved from the system of terror, which has hitherto deterred the oppressed inhabitants from daring to address His Majesty's Ministers, in any form of accusation or complaint: insomuch, that it will now be vain for

A. XXXVI

B. G. Pic-

B. G. Picton to intimidate, imprison, and banish those who can bear testimony to his guilt, as he has lately done in various instances. Among others, he superseded and imprisoned Mr. De Castro, a Regidor, and Keeper of the Archives, because he allowed me access to the criminal records, although De Castro had constantly furnished them to himself, and to all the Members of Council, as was his duty, when required.

Surgeon Timbrell, of the Royal Artillery, has also been imprisoned, and, as I understand, broke or dismissed by B. G. Picton, in direct violation of the regulations of the Ordnance\*, because he gave evidence respecting the execution, without any trial, of Hugh Gallagher of the Artillery, and because he refused to answer questions put to him by B. G. Picton in your presence, on that subject.

Ignorant as the Brigadier has proved himself of every principle of law, and prone to violate its most established forms, it is impossible that either he or you are yet to learn, that to force Mr. Timbrell or any other individual to give evidence, which, by any construction, could be used to criminate himself, would be reprobated by every English Judge. Neither can you be uninformed, that no criminal trial ever did take place without preliminary investigation. Every Justice of Peace in England takes evidence to determine whether or not the charges or allegations are sufficiently verified to justify a prosecution; and the French jurisprudence never omits the proces verbal, as the preliminary step in every criminal inquiry. As for the Spanish Code, it is so full on the doctrine of Pesquisidores and Preliminary Information, that if ever you read the Recopilacion of the Indian Laws, the Laws of the Partida, or the Curia Filipica, which, as a Commissioner, you are bound to understand, you will find whole chapters on the subject. I mention this, because on the imprisonment of Dr. Timbrell, it is stated, that you expressed your conviction of the impropriety of communication, at all times, when implications of the honour, character, and life of a person high in office stand on record, and that no present precautions could be illegal, but proper. These proceedings will of course become the subject of discussion in the English Courts of Justice.

I further understand, that D'Espana, mentioned in my Minute of the 19th March, has been sent away from prison. Dubois has been put on board a vessel and dispatched from Port of Spain; but whether put to death or not, remains uncertain. Mr. Montez, Deputy Alguazil Mayor to Mr. Adderley, has been suspended, threatened with the gallows, and cruelly insulted; his office taken from him and given to another, as I am informed, without any offence having been specified to him. This is not only a direct injury to Mr. Montez, but violates the right of Mr. Adderley to nominate his Deputy,

\* He has since been acquitted, and re-instated, by sentence of a Court Martial.

agreeably to the powers granted to him by the King's appointment. You know that the Junior Commissioners have no right whatever to name any person to an official situation ; and as First Commissioner, in whom that power is vested, until the pleasure of His Majesty's Ministers be known, I should have conceived myself guilty of a gross breach of duty, if I had interfered with Mr. Adderley's right of nomination.

As for the insults offered to Mr. Burke, I shall say nothing ; his talents, vigor, and ready elocution, will always repel aggression, as often as the Junior Commissioners choose to urge a conference with him.

In short, every measure of intimidation and severity is now exerted to stifle the voice of Truth, and to prevent any one from daring to come forward against B. G. Picton, while the most nefarious acts are exerted to seduce those who are acquainted with the crimes alledged. Among others, an attempt was made to betray Dr. Timbrell into an admission that there was a disturbance in Port of Spain when Gallagher was hanged ; although the place was then in a state of absolute tranquillity, and a Court Martial was held three days afterwards, on three soldiers who had been accused along with Gallagher.

Another endeavour has been made to entice Mrs. Griffith, whose extraordinary accusation of B. G. Picton you have read, into a compounding of her grievances ; although the laws of the Recopilacion expressly declare it is illegal to compound delinquencies, which defeats the purposes of public justice.

From Mr. Proby I learn, that you not only maintained your right to oppose my landing, because I had embarked without asking permission from you and B. G. Picton, but that you had told me so in person.

That you should have told me so in person is impossible, because after the reading of my Minute of the 19th March, in Council, on the 24th, I never saw you ; and before that meeting of Council, we were not on any footing that could have led to so uncivil a communication. Had any such been made to me in person, by you, or by B. G. Picton—I should have said, that if either of you, in person, attempted to impede my landing, I should draw my sword and run you through the body.

Another Gentleman asserted that, in his hearing, you declared that, in imputing criminality to B. G. Picton, my conduct was " infamous—most infamous ;" and that this was delivered in tones so loud, that they were heard across your gallery by Gentlemen in the street. If your observation had applied to the crimes imputed to B. G. Picton, it would have been rash and premature, for a Colleague to have pronounced in ignorance, and without proof, a sentence of infamy. But it exceeds my comprehension, on what principle that term

term can be applied to the person who openly and honourably stated to the Brigadier the imputations from which it was necessary, for his own character, and for the National Character of England, to clear himself by public trial; unless you really conceived that the imputations stated in my Minutes were of my own fabrication.

This, however, is not maintained even by the Brigadier's legal Adviser, the Attorney-General, Mr. Gloster, to whom, in your presence, I put the question in Council, whether he had not previously heard every one of the allegations stated in my Minute. In order that you may know the principles on which that legal Adviser counsels Governors, and sometimes their opponents, I shall, if you desire it, lay before you an opinion, signed Archibald Gloster, advising Mr. Webbe, of notorious memory in Martinique, how he might evade the Law, and ruin Major-General Keppel, because that excellent Governor attempted to bring him and his partner, Mr. Charrurier, to justice, for introducing base coin into that Settlement. The Document will shew you the principles of those who direct the Councils, and support the mild and equal Government of B. G. Picton.

Here I must make a digression on the subject of Governor Keppel and Governor Mills; two men, who, with the official persons employed around them, established the English name and character on so popular and distinguished a footing at Martinique, that on my late visit to that Island, I felt with exultation the confidence and estimation, on all hands, expressed towards the English. This affords a powerful counterpoize to the national and colonial odium incurred by the cruelty, oppression, insolence, and detail impertinence, to all descriptions of Foreigners and Natives, exhibited by B. G. Picton in the unfortunate and valuable Settlement of Trinidad.

There is another point, which it is impossible for me to pass without comment. B. G. Picton, by some inexplicable influence, induced you to concur in a Proclamation, dated 27th April, in which there is only one sentence, to the truth of which I can possibly assent. It is certainly true, that I did not apply to you and to B. G. Picton, requesting you would be graciously pleased to permit me to leave Port of Spain, on business directed and specified in the King's Instructions. His Majesty's Orders precluded you and me from going to Europe without leave obtained from Ministers; but so far from being limited to Port of Spain, like persons in arrest, or State Prisoners, that we are severally directed to examine various local circumstances, and to report concerning them.

You felt at full liberty to abspect yourself from Trinidad on Public Business, without asking permission of your Colleagues; but you join with B. G. Picton in issuing a Proclamation, declaring that I had left Port of Spain without the King's Leave; when the fact is, that I went on objects directly prescribed by the King's Commands.



You declare that I left Port of Spain without consultation with you, the Commissioners, or Council ; although you are in possession of my Letter of 12th of March, informing you of the object of my Survey, and another, of the 14th March, declaring that I neither was entitled, nor had any inclination, to withdraw from the duties of the Commission without leave from home ; at the same time, I have your Letter of the 25th March, in which you accuse me of having formed a frivolous excuse of visiting the Island, to prevent my attending the Commission ; although you state that I had never stirred from town, but appeared, from voluminous Papers laid before the Council on the preceding day, to have been employed endeavouring to criminate the persons of the Junior Commissioners.

The Declarations contained in that Proclamation, and the Orders enjoining Commandants of Quarters, and others, to disobey the First Commissioner, amount to a direct violation of the King's Authority ; and, unless fully explained to my satisfaction, will become the subject of Parliamentary Discussion.

It is impossible for me to guard against the falsehoods which may have been poured into your ears, by men who have neither truth nor honour in their composition, and who may for a time succeed in promoting alienation among the best friends ; but I shall defy all descriptions of persons to produce a sentence which I ever wrote or pronounced, in any particular, reflecting personally or disrespectfully on you ; so much the contrary, that your panegyric was my constant theme ; and I felt myself well warranted in that strain, not only from your high professional and public character, but from the strong terms in which my old and distinguished friend, Sir Thomas Trowbridge, desired me to rely with implicit confidence on your sentiments and principles.

The zeal which you evinced in conversation, previous to our departure from England, to carry into full effect the wise and salutary Instructions we received from His Majesty's Ministers, gave me confidence to undertake the arduous task of acting in a Commission with a man of such ungovernable temper as B. G. Picton, superseded as to Civil Power, but left with full Military Command, and with all the means and instruments of defeating the purposes for which his Colleagues were sent to Trinidad. Your remaining so long absent on Public Service, and not proceeding with me from Barbadoes, to open the Commission, gave me great uneasiness, and placed me in an improper predicament.

The gentleman-like conduct, however, of B. G. Picton, on my arrival, the very flattering Letter I received from you, and my own determination to avoid all retrospect and all crimination, made me hope that, looking prospectively, we might all three have co-operated to fulfil the public objects for which the Commission was appointed.

My

• My expectations were very soon defeated. The unprovoked insult and aggression which I received from B. G. Picton on the 12th of February in my own house, in the hearing of my Family, and a company, some of whom were Spaniards, on the subject of a permission which I had granted to Madame Duval, are fully known to you, as well as the suspension of the Public Secretary, Mr. Woodyear, for his misconduct on that transaction.

The written Declaration of Facts which Mr. Woodyear signed, then contradicted upon oath, and afterwards, finding his oath confuted by the affidavits of five respectable Gentlemen, issued another Declaration, different from both of the preceding ones, leaves no room for comment on his unhappy case.

A reconciliation between General Picton and me, on the affair of Madame Duval, took place on the 14th of February, in Council, by the urgent and unanimous entreaty of the Members. However, because I would not include Mr. Woodyear in the reconciliation, it pleased B. G. Picton afterwards to break out with new aggressions, in different meetings of Council, and at length to deliver his Minute of the 17th March, which contained insolent and inadmissible expressions respecting me\*.

My Minute, dated 19th March, and read in Council on the 24th March, contains the answer; and to the imputations stated in that Paper, he must reply, before God and his insulted Country.

To conjecture on what principles you conceive yourself implicated in that Minute as a *particeps criminis* with the Brigadier, requires more ingenuity than I possess.

In the mean while, the Brigadier has the temporary triumph of rendering, through your aid, and by means of his Military Command, his two Colleagues inefficient and ridiculous. He has almost in every instance defeated the Instructions and Intentions of His Majesty's Ministers, and now remains in a more unrestrained plenitude of power than could possibly belong to any British or Spanish Governor, if the Laws of either Country were in force.

As for you and me, our characters, in the mere business of fighting, are long ago established. We have little to gain on that score; but we have every thing to lose, in public estimation, by folly and misconduct.

I am quite aware, that while you and I remain in our relative situations, to give or to accept any thing like a Challenge, would, in the highest degree, be improper on either side.

Whatever may be the result of our misunderstanding, I trust that matters will be so conducted, as to prove that our intercourse with B. G. Picton has not made us forget the conduct which becomes Officers and Gentlemen; and that we will not descend to that intem-

\* It was a determined object with B. G. Picton, to force Colonel Fullarton prospectively to concur in sanctioning the same system, under which so many cruel and unlawful acts had been committed during the period of his government.

perance

perance of expression, which has long rendered B. G. Picton's name proverbial in the Colonies, for insolence, ill-manners, and brutality. At all events, I have the satisfaction of knowing, that I never said nor wrote a word, with the remotest intention of giving you any personal offence; that I acquiesced in every measure you proposed in the Commission or Council, and in my presence you never said a word that might not be used from one Gentleman to another; for your stating in Council that you considered my Minute of the 24th of March, as a Libel on His Majesty's Ministers, although extremely unjust, did not appear to me a sufficient cause of personal quarrel.

If you persist in thinking that the imputations against B. G. Picton, stated in my Minute, ought to be suppressed; that no proof should be allowed; and that every one who knows any thing in evidence against the Brigadier, should be insulted, imprisoned, banished and intimidated; or that, if the facts were proved, they would not involve criminality, I can only refer you to God, your Country, and your conscience, for the justification of such opinions, and for the still more inexplicable doctrine, that the usage of committing criminal and illegal acts, such as false imprisonment, infliction of torture, assassination, or death without trial, gives a sort of prescriptive right to the perpetrator, which renders any person culpable who attempts to expose such delinquencies for judicial punishment. All that personally concerns me is, the mode in which you act and express yourself on my subject.

As for me, I have no hesitation in declaring, that the Evidence brought forward since my Minute was read in Council, proves, as far as human testimony can be credited, and in defiance of all the intimidations used to smother informations, that B. G. Picton must either judicially clear himself from these imputations, or he will stand recorded as the most atrocious malefactor who ever disgraced the English name and character, invested with any portion of public authority.

By his orders, establishing Martial Law on the firing of three guns, he has every individual in the Colony at the mercy of his cruel, suspicious, and ungovernable resentments. By the embargo, preventing any persons from leaving Port of Spain, he may, for a time at least, conceal his proceedings from the neighbouring Colonies.

The dread arising from such authority, in such hands, has already struck the devoted inhabitants with horror and dismay, and must give a severe obstruction to the expectations formed by Ministers, arising from their liberal and enlightened regulations and instructions for the welfare, security, and improvement of that valuable Island.

As you declare that my imputations against Governor Picton contain a Libel on His Majesty's Ministers, it is necessary for me to add, that the inhabitants lived under such apprehensions of the terrific Brigadier,

gadier, that no one, I believe, ever ventured to transmit any official statement of his crimes to the British Government.

You must have heard, that many persons were dispersed by Military Force ; and others were imprisoned, merely for having signed a most loyal and respectful Address, congratulating His Majesty on the return of Peace. They were vilified by B. G. Picton as Jacobins, Brigands, and subverters of the British Government, because they expressed an anxious wish to enjoy the benefits of British Laws. Every one who did not withdraw his name from that Address, or who did not sign a Counter-declaration, was insulted and proscribed. If any man ventured to express the slightest disapprobation of any act he had sanctioned, or to approve of any measure which he disliked, or to be in habits of intimacy with any individual who had offended him, the terms, Thief, Villain, Rascal, Scoundrel, Rebel, Democrat and Brigand, were lavishly bestowed ; insomuch, that there is hardly a respectable Gentleman in the Settlement, to whom at one time or other he has not applied his outrageous phraseology.

He formerly gave orders, as I am credibly informed, to burn or attack Mr. Begorrat's Plantation, as a Brigand, in the event of a commotion, although that Gentleman is now of the Council, and in his confidence.

He called another Member of Council, Mr. Nihel, a reptile, and afterwards dispossessed him of the Office of Chief Judge, because he offended him respecting the outrage committed against Mrs. Griffiths, whose extraordinary sufferings, exposed to the outrage of a Black Military Force, you have read ; and because Mr. Nihel, farther, objected to the execution of a man without trial.

By frequent repetition of unfounded calumny, he has imposed on many persons at a distance, the belief that the respectable and well-behaved Settlement of Trinidad, with a few exceptions, is composed of pirates, ruined profligates and conspirators, and of course incompetent to furnish proper Members for trial by Jury. Reprobating as I do, such injurious propositions, it must be confessed, that the ideas of right and wrong have been strangely jumbled and perverted during the period of his Government. I have copies of different Letters, signed Thomas Picton, proving these assertions, and could offer you the perusal of them, if your object were to be informed of the character and proceedings of your Coadjutor.

With respect to the introduction of English Laws, so anxiously desired by the British and other respectable inhabitants, I understand that the Brigadier and you lately received a Memorial, and had a meeting with the Mercantile Interest, at which the Gentlemen conceived themselves ill-treated and insulted. I shall therefore expose to you, without apology, the deceptions which the Brigadier has employed

ployed on this important subject. In order, however, to understand the secret history of opposition to the introduction of English Laws into Trinidad, it is requisite to know the Acts and Declarations of those who have supported B. G. Picton, in hostility to the Laws of his Country.

When Mr. Galvez, the Spanish Minister, urged the Court of Spain to encourage and enforce the improvement of Trinidad, the difficulties in effecting his patriotic intentions, at least by means of Spanish Settlers alone, appeared nearly insurmountable; for a plain reason, the Spaniards on the Continent possess territory 5000 miles in length, in many places equal to any portion of the globe, in point of productions and fertility. Under these circumstances, with the annoyances which invariably attend all new Settlements within the Tropics, the temptations held forth were by no means tantamount to induce any adequate number of Spaniards to emigrate from the *Tierra Firme*, or Continent, for the cultivation of Trinidad.

As for Dutch Settlers, so useful from their skill and industry in draining marshy grounds, they had sufficient extent of territory in Surinam, Berbice, and Demerary.

The French and English, whose estates in other Islands were either circumscribed or unproductive, whose speculations had proved unsuccessful, or whose enterprising spirit was excited by the hopes of superior advantages in Trinidad, afforded the chief supply of that infant Colony. Thus a population was formed of three Nations, uniting all the advantages arising from the different characters, acquirements, and habits of industry and cultivation which distinguish the English, Spanish, and French Settlers.

In the year 1784, Mr. Chacon, a Naval Officer of excellent character, was appointed Governor of Trinidad, and ruled with the manners of a Gentleman, and with the most paternal regard to the interests of all classes committed to his charge. Under his mild administration, the Colony rapidly increased. During this period, the Surveys, Inspections, and Statistical Reports, were prepared, which have since, in a great measure, furnished the materials from which the Statements of B. G. Picton, and of Captain Mallet, have been composed.

In Spring 1797, the Island surrendered to the English. A few months afterwards, an Address was presented to Governor Picton, accusing Governor Chacon, and holding him up, most injuriously, to the vengeance of the Spanish Court, for the alledged corruption and oppression of the Spanish Laws under his Government, although it is matter of notoriety, that Don Chacon was one of the mildest and most approved Governors who ever ruled a Foreign Settlement; that he had most liberally protected the English, and other Foreigners, and had conferred essential favours on many of the individuals who signed his accusation; that there was no instrument of torture existing during his long administration, and, I believe, only two or three persons

persons executed in fifteen years; that the corruptions and delays stated were incident to Spanish Laws and Tribunals in general, and by no means chargeable to the Spanish Governor in question.

At all events, the Colony, when ruled by him, had the privilege of Appeal to the Audience of Carraccas, and from thence to the Council of the Indies in Spain. These measures naturally augmented the caution and respect to legal form, so remarkable among Spaniards. They further exhibited a mortifying contrast with the rapid executions, and abrupt disdain of legal principles, which so conspicuously distinguish the judicial proceedings of B. G. Picton, and seem only adapted to the summary and sanguinary Jurisprudence of Robespierre.

B. G. Picton graciously received the address of accusation against Governor Chacon, and of reprobation against the Spanish Laws and Tribunals. By an incompetent and retrospective extension of authority, he established a Committee of Inquiry, in the nature of a Residencia, to criminate the conduct of Governor Chacon, and the Members of Government, previously to the surrender of the Island to the English.

He put at the head of that Commission Don Christoval De Roblez, a person eminently hostile to Governor Chacon, but who was generally reported to have lent large sums of money to B. G. Picton. Among those who petitioned for this *ex post facto* and inquisitorial Tribunal, we find the names of Messrs. Black, Begorrat, and St. Pé, two of whom are now in Council, two of them are Alcaldes, and all three Members of the Cabildo, administering decisions which violate alike the principles of English Justice, the Spanish Laws, or Recopilation of the Indies, and the Laws of Humanity, established by God and Nature in the breast of all human kind, of every country and complexion.

When I first visited the jail, in company with these and other official persons, there was a multitude of victims in their pestilential receptacles, many of whom appeared like spectres issuing from a charnel house, and others confined in positions of continued torture, while numbers were detained without any register, or knowledge of the offence for which they were committed. I do not impute to these Judges the banishment of several hundred helpless women and children, hurried on board of ship on the *sic volo, sic jubeo*, of B. G. Picton, without any list of their names, or of the suspicions urged against them; neither do I arraign the Judges for the unfortunate victims whom he executed without any trial at all: but these reprobators of the Spanish Institutes, and opposers of the English Law, have enough to answer for: they publicly sanctioned and demanded *ex post facto* regulations to criminate a respectable and beloved Governor; as soon, however, as they obtained appointments as Members of the Cabildo, Regidors, Alcaldes, Judges under Criminal Commissions,

missions, and Administrators of the Spanish Law, which they had openly reprobated, they proceeded habitually to imprison, without any specification of a crime, in direct violation of the Spanish Law. They neglected the prisons, which the Spanish Laws enjoin them to visit regularly. One of them assisted at the inflicting of torture on a minor, without appointing tutors to conduct the minor's defence, and without any medical assistance. These are Acts for which a Spanish Judge, or Governor, would have been broke, cashiered, or tried for his life. They farther passed sentence of mutilation and death for sorcery, witchcraft, and other imaginary crimes, not punishable by the English Law, and not recognized by the Spanish Law.

Such has been the march and progress of their judicial operations as Spanish Judges, under a Code which they reprobated, and which they have never ceased to violate.

This Code, however, so reprobated and so violated by themselves, they now maintain in opposition to the principles of English Jurisprudence. They prefer the infliction of torture to the Trial by Jury; indefinite imprisonment for unspecified delinquencies, to the Habeas Corpus; and arbitrary commitment without redress, to the admission of Bail for bailable offences.

If on these points, an Englishman, or any other person, presumes to differ from the *ipse dixit* of the Brigadier, he is reprobated as a conspirator, a republican, and a brigand. If his person escapes the jail, his character must be more impervious than the seven-fold shield of Ajax, to resist the daily repetition of a thousand falsehoods.

That the proceedings of English Courts are expensive, and many of the English forms of Civil Process annoying to Foreigners, cannot be disputed. That those proprietors who made engagements under Spanish contracts, subject to the Spanish Recopilacion of the Indies, or to the Royal Cédulas, are entitled to have their contracts preserved sacred, must be admitted by all men, except those who sanctioned the pernicious doctrine of *ex post facto* regulations, in the case of Governor Chacón.

The principle on which the Spanish Government granted to the Settlers of Sugar-estates, extreme relaxation of terms, securing their property from sale for payment of their debts, until the demands amounted to a large proportion of the value, was founded on the supposed policy of encouraging the Sugar Cultivation.

The principle on which English Merchants and Planters concur, in wishing to obtain the establishment of English Jurisprudence, in matters of Debts and Civil Contracts, is founded on an equally laudable endeavour of the Merchants to be enabled to lend money for the improvement of the Island, with a fair prospect of recovery; and, on the other hand, from a perfect conviction, on the mind of the British Planter, that, without the benefit of English Laws, he must not look for

for any extension of British Credit, and thus must be deprived of means to improve his property.

Neither the one nor the other set of adherents to the introduction of British Laws, in matters of Debt and Civil Process, entertain the most remote idea of extending any regulation, retrospectively, to past engagements.

With regard to Criminal Proceedings, I will venture to pronounce, that all descriptions of inhabitants must feel themselves in an abject and degraded situation, until, by some modification or other, sufficient barriers of English Jurisprudence shall be interposed against the corruption, illegality, and violence, which this Colony has unfortunately experienced. Few men, however, can either act with any sentiment of self-respect, or venture to express any fair opinion, on such subjects, while it shall be permitted to Governor Picton, or to any other person in power, to imprison any one without specifying an offence; to intimidate any witness; to detain any person in prison *ad libitum*, without being obliged to prosecute; and to inflict torture, mutilation, and death, without trial.

I have now expressed to you in detail, my sentiments on several important subjects. Your duty to the King, exacts from you explicit statements and opinions to His Majesty's Ministers, on those parts of this Letter which refer to Public Service.

The circumstances which are of a nature personal to myself, require such an explanation as, in some form or other, you know, and must feel, is due to me—I mean, such an explanation as may prove satisfactory to an Officer and a Gentleman—to one who never, intentionally, committed an aggression; who through life has proved himself to possess a conciliatory disposition; but who never did, and never will, suffer improper and insulting expressions, if applied to him, to pass unnoticed.

I have the Honour to be,

SIR,

Your obedient humble Servant,

(Signed) W. FULLARTON.

To Commodore Hood, &c. &c. &c.

P. S.

On board the *Starr Schooner*, Port of Spain,  
June 10, 1803.

This Letter was written on my passage to Barbadoes, with the intention of being delivered to you in person, having there received a Dispatch from Lord Hobart, dated the 23d of April. I left a certified copy at Mrs. Clark's, to be forwarded to you by Lieutenant Laurence,



commanding the Nettley. I retained another copy for myself, and transmitted the original to B. G. Picton.

On the 1st of June we sailed from Bridgetown, and anchored here upon the 6th.

I now inclose copy of a Letter which I received from B. G. Picton, with the Minutes of Council; you will also receive copy of my answer to the Brigadier, and of a Proclamation which I had prepared for issuing on my landing.

No acts of illegality or violence which can be committed by the Brigadier, will surprize those who are acquainted with his operations. But even his friends in the Council, at least some of them, appear alarmed at the hazards in which he has involved them, by an avowed act of disobedience to the King's Commands: for I understand, a Protest was entered on the Minutes of the 3d of June, of which no mention was made in the Letter from B. G. Picton, but of which I have procured and enclose a copy.

Since your departure, an Address has been presented to B. G. Picton, signed by some English, and a larger proportion of French inhabitants. The Spaniards, with the exception of about half a dozen, have resisted all the arts of intimidation and allurements which were exerted against them. Of all the English in this Island, it appears, that not more than about sixty have been prevailed on to express their favorable sentiments. A great proportion of these Gentlemen have been connected with him, by appointments which he had been the means of procuring them; by habits of intimacy or transaction, while many of the others have only recently become inhabitants, and have not yet acquired sufficient knowledge to believe the possibility of his having committed the atrocities imputed to him, and which are so repugnant to an English mind. On the other hand, a few of his supporters are either implicated in part of his criminality, or interested by circumstances in his success; while a greater number feel ashamed of having so long submitted to his domination.

The gross mis-statements and direct fallacies which have been circulated during my absence, exceed all ordinary practice of deception: for example; it was seriously asserted, that I invited Baron De Montalembert to dinner, and set him next to a Mulatto; that I assaulted or insulted Judge Black in his own house, although there were five respectable Gentlemen present, who all declared the contrary upon oath; that I suffered B. G. Picton to insult me with impunity, while, at other times, I am charged with having not only insulted, but challenged him; and, that I knew so little of the duties of a Magistrate, as to take evidence in an irregular and clandestine manner, and to swear the Witnesses to secrecy. A French Gentleman of the name of Le Thé received a Message, informing him, if he were not extremely careful of his conduct, B. G. Picton meant to order him to leave

leave the Island, because Mrs. Fullerton had accidentally paid a visit to a Lady who happened to live at the house of the Gentleman in question. The French were in general assured, that every one who favoured British Laws, was their determined enemy; that the introduction of these Laws would be their ruin, and that B. G. Picton, by opposing English Jurisprudence, proved himself their surest friend.

All these endeavours, however, have had little influence, and the great Body of the Colony, of all Nations and descriptions, with the few exceptions already stated, reprobate the crimes imputed to B. G. Picton, although many of them, living at a distance in the country, are ignorant of the specific charges, and others even in town, are entirely unacquainted with the proofs and evidences ready to substantiate the allegations.

One Gentleman has been obliged to fly to Grenada, because he refused to subscribe for a sword to B. G. Picton; but added, that he was ready to contribute for a halter to such as deserved it. A most respectable Officer, Captain Walker, was last night insulted in a public company by Mr. Woodyear, because, on my arrival in this Bay, he had done me the honour of coming on board to visit me. On Mr. Woodyear's saying, that no doubt he had waited on me to give me wholesome advice and intelligence, Captain Walker told him, that his informer was, in direct terms, what I shall not name; Mr. Woodyear desired him to be cautious, for his informer was B. G. Picton: then, replied Captain Walker, tell him these words apply to him.

It is unfortunate for the Colony that such dissensions should occur, and painful to every one possessing the sentiments and manners of a Gentleman, to be involved in any transaction with such men as B. G. Picton and Mr. Woodyear.

One benefit, however, will be derived from these discussions. His Majesty's Ministers will obtain a mass of information from the collision, which could hardly be produced or stated under less perturbant circumstances. The detail of abuses and defects in the Administration of this Island, from the period of B. G. Picton's appointment, will afford sufficient negative examples of acts and ordinances, which ought to be avoided in the general system of Colonial regulation, and which, I believe, have never been surpassed in any of the West Indian Settlements, except in Guadaloupe.

It is impossible for me to pass over the terms of the Address without some observations. The Brigadier receives the warmest expressions of acknowledgment for his wise, equitable and successful measures, in situations of extraordinary difficulty, in a conquered Colony, possessing the seeds of interior insurrection, menaced, and preparations made for attack by the Enemy, destitute of ships of war to guard the Coasts, Fortresses to withstand assault, and at times, with a very in-considerable

considerable Garrison he stood undismayed. He preserved tranquillity and order, and inspired His Majesty's loyal Subjects with the strongest confidence: his vigilance, his vigour and activity, supplied the want of physical Forces; and he obtained from the Enemy the greatest eulogium that can be bestowed upon a Military Chief—a Proclamation, setting a price upon his head. In answer to this eulogium; I shall only state, that the equity of his measures has already been sufficiently demonstrated; and his wisdom seems commensurate with his moderation.

If the Island had been attacked, we cannot entertain a doubt but he would have endeavoured to defend it with success; but his wisdom, vigilance, and activity have never been displayed in any efficient preparation for defence, nor in any beneficial system of improvement.

His vigour has been shewn, by putting to the torture unfortunate victims; among others, Louisa Calderon, a girl under age; by mutilating slaves, and executing Spaniards without trial.

To preserve tranquillity and order, he banished helpless women and children; and his mode of preventing insurrection, and of attaching the mingled population of a conquered Colony, has been by establishing a reign of terror and oppression, which has impressed too many of the foreign inhabitants with abhorrence of the English Laws and Government.

Strange must be the misapprehension, and ingenious the perversion, which, out of such proceedings, could extract materials for Moral, Judicial, Military or Political applause. But it requires still more refined discernment, to discover on what possible principle it can become the subject of eulogium for a Military Chief, and an English Governor of Trinidad, intrusted with the various interests, interests, course, and connexions between that Island and the Continent of South America, to have rendered himself obnoxious almost to every native from Angostoura to Cartagena; insomuch, that a number of unfortunate victims, relying on his assurances, were involved in blood and massacre at the Carracas; that he seized Spanish branches trading under public faith and mutual confidence at Trinidad; that he imprisoned, punished, tortured, and, in several instances, executed natives of South America, in direct violation of the Laws of Nations, the principles of policy, and the dictates of humanity: at last, by these accumulated aggressions, he obtained the honour of a Spanish, or rather a South American Proclamation, setting a price upon his head. Such is the portrait of your Conditior, neither flattered nor finished.

(Signed) W. FULLARTON.

To Commodore Hood, &c. &c. &c.

No. XXXVII.

## No. XXXVII.

*Letter from Commodore Hood; complimentary to Colonel Pullarton \*.*

*Blenheim, Carlisle Bay, Barbadoes, Jan. 25, 1803.*

MY DEAR SIR,

Many thanks for the honour of your kind favour. I am very happy to learn you have been so politely received by all ranks of people; indeed, from the knowledge they must have of your public and private character, they must look forward with pleasure to the advantages likely to be derived from your abilities and assiduity. I feel, I assure you, very grateful for your and General Picton's attention to my comfort; a small place will suffice for my present accommodation; and I trust you will not put yourselves to any inconvenience on my account. I imagine you are not yet quite quit of the rains, which have left us some days. Every thing looks peaceable: General Grinfield has directions to send to England the 14th, 30th, and 57th Regiments, and two battalions of the 60th to Nova Scotia and Canada, and we have nearly closed our dispositions on this head, which I hope will, in about eight or ten days, give me the opportunity of joining you at Trinidad.

Agreeable to your desire, I have been endeavouring to obtain as many men discharged from the 60th Regiment as possible; to settle at Trinidad, in which I have been aided very much by General Maitland; General Grinfield had directed as many as wished it to be sent to England; however (this day), he has told me I may persuade as many as I can to go to Trinidad, which I had pretty well done before: upwards of forty have already embarked on board the Emerald, and I trust as many more will before she sails for Trinidad; I shall also keep her a day or two longer for the purpose, and afterwards provide, by the ships of war, passages for the others. The Troops for England will sail the 20th March; the 14th and 57th go home in the Excellent, fitted for the purpose, and a transport. You are to have at Trinidad the 37th Regiment; it is strong and well disciplined, and commanded by an excellent Officer, Colonel Hope.

Pray make my best respects to the Ladies, and believe me,

MY DEAR SIR,

Very sincerely yours,

SAM. HOOD.

\* The three following Letters are inserted, to mark the contrast produced on the conduct and expressions of Commodore Hood, by the deceptions and counteracting influence of B. G. Picton.

No. XXXVIII.

## No. XXXVIII.

*Letter from Commodore Hood to Colonel Fullarton.*

March 10, 1803.

MY DEAR SIR,

CAPTAIN BLAND, of the *Heureux*, has sent me my Dispatches, which arrived at Barbadoes by the *Princess Charlotte* Packet on the 6th inst. in which I have nothing new. The General has also his Dispatches. The Post-master at Barbadoes would not give up the Mail without an Order from the Governor; how this was not obtained, I cannot conceive, the Admiralty, on the 2d ult. acknowledging the receipt of my Letter from Barbadoes, mentioning my arrival there.

I have also Dispatches from Sir A. Mitchell, at Bermudas, dated the 13th February. Lady Mitchell died of a decline on the 10th.

Very faithfully yours,

SAM. HOOD.

*Thursday Evening.*

## No. XXXIX.

*Letter from Commodore Hood to Colonel Fullarton, by the Camilla.**Centaur, Barbadoes, June 18, 1803.*

SIR,

I HAVE to acknowledge the receipt of a voluminous Epistle from you, bearing date the 24th of April, which is at an instant I am occupied with a duty more material to my Country than the first and last pages (the only part I have been able to peruse) appear to require.

However, I must beg leave to acquaint you, from its tenor in that part, I shall transmit it by the earliest conveyance, after copied, to the King's Ministers, for His Majesty's information, being well assured, from good authority, that since the Minutes of His Majesty's Council for the Island to 3d April have arrived in England, my conduct in the transactions of Trinidad has been approved.

I have the Honour to be,

SIR,

Your most obedient and humble Servant,

SAM. HOOD.

*His Excellency W. Fullarton, Esq. &c. &c. &c.*  
*Trinidad.*

No. XL.

## No. XL.

*Letter from Brigadier-General Picton to Colonel Fullarton.*

*Port of Spain, June 6, 1803.*

SIR,

I HAVE the honour to communicate to you the Proclamation of the Commission of the 27th ult., as well as the Minutes of the Council of the 3d instant; and I am under the necessity of signifying to you, by the advice of His Majesty's Council, that I cannot, consistently with the tranquillity and security of this Colony, admit of your landing here during the absence of Commodore Hood.

I have the Honour to be,

SIR,

Your obedient humble Servant,

THOMAS PICTON,  
Brigadier-General.

*To William Fullarton, Esq. &c.*

## No. XLI.

*Minute of Council, 3d of June, 1803.*

*Trinidad.*

AT a Meeting of Council at Government-House, in the Town of Port St. Joseph, on Friday the 3d day of June, 1803, convened in consequence of the arrival of Dispatches from His Majesty's Secretary of State, dated the 23d of April last, signifying His Majesty's pleasure of his accepting the resignation of His Excellency, B. G. Picton as a Commissioner;

## PRESENT :

His Excellency Brigadier-General Picton,

The Honourable

{ John Nihel,  
John Black,  
Archibald Gloster,  
J. M. Woodyear.

The Minutes of the former Proceedings being read, and approved; His Excellency B. G. Picton having laid before the Board a Dispatch of the Right Honourable Lord Hobart, bearing date the 23d April last; and His Excellency having also informed the Board, that Colonel Fullarton, who was at Barbadoes, in consequence of seeing such

such Dispatch, had intimated his intention to return immediately to this Government to act as His Majesty's First Commissioner; the Board, therefore, resolved; That an express-boat should be sent to Barbadoes, to the Commander of His Majesty's Forces, requesting him to interfere, and prevent the return of Colonel William Fullarton\*, until farther Dispatches are received on this important subject from His Majesty's Ministers, particularly as the re-appearance of Colonel Fullarton might be attended with most alarming and dangerous consequences to the peace and security of the Colony, under the present existing circumstances.

Resolved also, That as Brigadier-General in His Majesty's Service, all Civil and Military Command is, by His Majesty's Commission, vested in General Picton's hands, in the absence of Commodore Hood; especially, as Colonel Fullarton, by the Proclamation issued by the Commission, with the advice of His Majesty's Council, dated the 27th of April last, has been declared no longer officiating in the Government as one of His Majesty's Commissioners.

A true Extract, taken from the original Proceedings.

GEO. UNWIN,  
Deputy Clerk.

No. XLII.

*Copy of Minute by the Honourable John Nihel, Senior Member of Council, and Chief Justice, June 6, 1803.*

I TAKE this opportunity of declaring, that I consider Colonel Fullarton as Governor of this Island, during the absence of Commodore Hood; and that I am bound, by the oath which I have taken as Member of the Council, to obey him. Although I assented to the Proclamation, I now declare, that I assented to it without considering it sufficiently. On more mature reflection, I have considered it as an improper act, and I cannot persuade myself, that either this Proclamation, or any other act of two Commissioners, could deprive the other of any part of the authority which he received from the King by the Commission: nor have I been able to find any authority, which can satisfy me, that he was deprived of his part in the Government of the Colony as First Commissioner by his going out of the Government, or by any other act of his since his arrival in the Colony.

(Signed) JOHN NIHEL.

\* This requisition sufficiently marks the violation of His Majesty's Civil Government by B. G. Picton, in his Military capacity, with the advice of the Colonial Attorney-General and two other Members of the Trinidad Council. It is farther to be observed, that Colonel Fullarton was employed in Trinidad solely in a Civil situation, and in no respect subject to the Commander of the Forces.

No. XLIII.

## No. XLIII.

*Dissent in Council from the Honourable John Nihel.*

I DISSENT from the motion—Because I think that preventing Colonel Fullarton from landing and assuming the Government of the Colony, would endanger the peace and security of it, much more than permitting him to land, and because I know of no authority in the Colony to prevent his landing. With regard to former motions passed in the Council, after more mature reflection, I now declare, that some of them have had my assent without due consideration on my part, although I at the same time declare, that I gave my assent without the least solicitation whatever, from any person whatever.

JOHN NIHEL.

June 6, 1803.

## No. XLIV.

*Letter from Colonel Fullarton to Lieutenant-General Grinfield,  
Esq. Esq. Esq.*

*On board the Start Schooner, Port of Spain, June 7, 1803.  
Dispatched the 10th June.*

SIR,

THE enclosed Letter from B. G. Picton to me on my arrival in this Bay yesterday, with the Minute of Council of the 3d June, which accompanied it, are transmitted, that you may know the proceedings which have taken place. I have only to refer to my letter of the 23d May, and remain with great respect,

See Letter from  
Commodore  
Hood, on the  
Minutes of the  
Trinidad Coun-  
cil, approving the  
Resolutions of  
the 3d of June,  
and reprobating  
the dissent of  
Mr. Nihel.

SIR,

Your faithful and obedient Servant,

(Signed) W. FULLARTON.

I enclose copy of a Letter from me to B. G. Picton, and of a Proclamation which I prepared for issuing on my landing.

*To Lieutenant-General Grinfield, Esq. Esq. Esq.*



## No. XLV.

*From Colonel Fullarton to Brigadier-General Picton.*

SIR,

*On board the Schooner Start,  
June 9, 1803.*

I HAVE received your Letter of the 6th June, enclosing your Proclamation of the 27th of April, and the Minute of Council dated the 3d of June. You inform me, that you cannot, consistently with the tranquillity of this Colony, admit of my landing during the absence of Commodore Hood. In answer to your Proclamation, I enclose one signed by me, and ready to have been issued, if you and His Majesty's Council had not committed a direct violation of the King's Authority, and resisted my landing at Port of Spain.

In the Minutes of Council, you acknowledged the receipt of Dispatches from the Right Honourable the Secretary of State, signifying His Majesty's acceptance of your resignation as Commissioner; and in the same Minute you declare your resolution to disobey the Commands conveyed in the Dispatches, and to retain the Civil Government, to the exclusion of the First Commissioner, in your capacity as Brigadier.

As this is now reduced to a mere question of military power, it remains to be adjusted by the Commander of the Forces. In a Letter of the 23d May, which was delivered to General Grinfield on my arrival at Barbadoes, and in subsequent conversation respecting the Dispatches from Lord Hobart, I stated my conviction that you intended to disobey the King's Commands, and, if possible, to retain your power in Trinidad. This he denied to be a supposable case, and imputed my suggestion to unfavourable impressions of your conduct.

I assured him, at all events, of my determination not to involve the peace and welfare of the Colony. I beg you, however, to be assured, that if it were a mere question of your personal insult or resistance to me in the execution of my public duty, I should desire you to oppose my landing on the Mole, and in the event of your doing so, in person, I should draw my sword and run you through the body, in the same manner as I would treat any person who commits an overt act of disobedience to the King.

I feel myself, however, bound in honour, in the first instance, to verify the serious charges stated in my Minute of the 19th of March. On the other hand, in preference to all other considerations, you are still more solemnly called on, to exculpate yourself from such imputations by public trial.

Under these impressions, it is not my present intention to put the Military under your command to the necessity of disobeying your orders,

orders, or of forfeiting their allegiance to the King, which requires them to support his Civil Government. Any deviation in this respect could not fail to prove disgraceful to the Army, and injurious to the welfare and security of the Colony.

I have the Honour to be,

SIR,

Your most obedient and humble Servant,

(Signed) W. FULLARTON.

A true copy.—HUGH VINT.

*To Brigadier-General Picton.*

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No. XLVI.

*General Orders, respecting the removal of Brigadier-General Picton, and appointment of Brigadier-General Maitland.*

**GENERAL ORDERS.**

*Head-Quarters, Barbadoes, June 11, 1803.*

**BRIGADIER-GENERAL Maitland** is to relieve **Brigadier-General Picton** in the command of the Troops in the Island of Trinidad.

**Brigadier-General Maitland** is to proceed to Trinidad with as little delay as possible, and **Brigadier-General Picton**, on his being relieved, has the leave of the Commander of the Forces to remain any time he thinks necessary at Trinidad to settle his affairs, and he may then proceed to Barbadoes, or to Europe, as he pleases, specifying his intention as soon as possible to the Commander of the Forces.

(Signed) **GEO. B. MORDEN**, Lieut.-Col.  
Deputy Adjutant-General.

**ALEX. PITMAN**, Brig. Maj.

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No. XLVII.

*Letter from Brigadier-General Maitland to Colonel Fullarton.*

SIR,

*Trinidad, June 14, 1803, on board the Nelly, Arm. Sch.*

I HAVE the honour to inform you, that in consequence of orders from **Lieutenant-General Grinfield**, I have come to Trinidad to relieve **B. G. Picton**,

B. G. Picton, and that I am directed, when I assume the Command, to consider you as His Majesty's First Commissioner.

I have appointed to-morrow evening to assume the Command of His Majesty's Troops here, when I shall be ready to co-operate with you in whatever regards His Majesty's Service.

I have the Honour to be,

SIR,

Your most obedient humble Servant,

FRED. MAITLAND,  
Brigadier-General.

*Colonel Fullarton, &c. &c. &c.*

No. XLVIII.

*Letter from Colonel Fullarton to Brigadier-General Maitland.*

SIR,

*On board the Start Schooner, Port of Spain,  
June 15, 1803.*

I HAVE received the honour of your communication by Major Pitman, informing me that in consequence of orders from Lieutenant-General Grinfield, you have come to Trinidad to relieve B. G. Picton, and that you are directed to consider me as His Majesty's First Commissioner.

Your Letter of this morning also does me the honour to express your wish to be informed, at what time I propose to land, that you may direct the Compliments to be paid to me as First Commissioner.

It is impossible for me to think of going on shore, until I have fully explained to you the circumstances of insult and outrage which have been offered to His Majesty's Civil Government in this Island, by the Military Power under the orders of B. G. Picton. On this subject I shall take an early opportunity of addressing you, and have the honour to be,

SIR,

Your faithful and obedient servant,

(Signed) W. FULLARTON.

*Brigadier-General Maitland, &c. &c. &c.*

No. XLIX.

## No. XLIX.

*Letter from Colonel Fullarton to Brigadier-General Maitland.**On board the Start Schooner, June 16, 1803.*

SIR,

IN order that you may be acquainted with the insults and aggressions which the Military Power under B. G. Picton has offered to His Majesty's Civil Government, to which I alluded in my Letter dated yesterday; I transmit for your perusal by the bearer, Mr. Hill, Copies of my Letter of the 23d of May, to Lieutenant-General Grinfield, and of my Letter to B. G. Picton, dated June 9, together with a Proclamation of the 27th of April, issued by the Junior Commissioners, and a Proclamation on my part now proposed to be issued. I also request your attention to the Letter from Gen. Picton to me of the 6th of June, and the Minute of Council, dated the 3d of June, as well as the Orders respecting Martial Law, dated the 13th of May.

I must farther add, that on my arrival in this Bay on the 6th of June, I understand that ball eartridges were issued to the Troops, that the guns were shotted, and that orders were given to fire upon me, if I attempted to land. The Officers and Men on duty at the Wharf were directed to search all boats going on shore, insomuch, that they actually attempted to stop the Captain's Barge, of His Majesty's ship *Ulysses*, under pretence that I might be concealed, and going on shore in a clandestine manner. Although the Wharf or Sea Fort is a station entirely under the charge of the Civil Government, yet the Gunner there was directed by the Military Commandant to load and fire on my approach. He declared he would fire at me if ordered, because he must obey his Officer, but as he did not wish to hurt Colonel Fullarton, he would fire over his head. Mrs. Fullarton and my family were constantly subject to all the insults connected with such proceedings; and I understand that many of the Officers conceive that they are bound to obey their Commanding Officer, however unlawful his order may be, and that they must resist the Civil Government if so directed.

This will hardly appear strange to those who know, that in this Island for more than six years the Military, particularly the Black Troops, have always been employed to carry into effect the duties of Alguazils, such as imprisonment of Europeans and other punishments and executions, many of which took place without trial, and in violation of law. Of course, the doctrine seems generally and dangerously established among the Military in Trinidad, that nothing can be too atrocious for a soldier to perform, if ordered by his Officer. Knowing the long habits of intimacy and friendship in which you have

have lived with B. G. Picton, it gives me great uneasiness to be under the necessity of communicating such proceedings to you; but I am confident, that after what has happened, you will do me the justice to admit, that my duty to the King, and the safety of the Colony, require this explanation.

The influence of such counteractions and disunion between the Civil and Military Services, must at all times prove injurious, but in an infant Colony could not fail to destroy all prospect of improvement, and in the event of hostilities, would occasion the loss or ruin of the Island.

These consequences must be perfectly obvious to an Officer of your abilities and experience. The duty of every Officer and Soldier to support His Majesty's Civil Government, and to obey the lawful requisitions of the Civil Power, I presume, are not disputed by any one who knows the principles on which the King's Military Forces are established. The converse of the proposition would involve the parties in direct rebellion to the King's Authority.

If the Head of His Majesty's Civil Government may with impunity be insulted, expelled, resisted, deposed, arrested, fired at, and put to death by any Officer and Soldier serving under a Commander who may choose to issue such orders, the Civil Power must be considered as a mere shadow, and an empty name, depending solely on the will, pleasure, and forbearance of the person in whose hands the Military Force may be intrusted.

Fortunately, however, all the endeavours to destroy respect for Civil Government in this place, and the numerous orders to the Soldiers to insult or violate the Civil Power, have not hitherto been sufficient to excite any species of commotion among any class or description of which the population is composed. I most earnestly hope and trust that in future the relative duties of the Civil and Military Authorities will be so understood, so specified, and so executed, as to fulfil His Majesty's Commands and gracious intentions for the security and welfare of the Colony.

It will give me great satisfaction to learn, that my mode of viewing these subjects meets your approbation. I propose landing from His Majesty's Ship Ulysses, to-morrow morning at nine o'clock.

I have the Honour to be,

SIR,

Your faithful and obedient servant,

(Signed) W. FULLARTON.

*Brigadier-General Maitland, &c. &c. &c.*

I have not received any official intimation of B. G. Picton's departure, although I learn by public report, that he embarked late on the

the night of the 14th, on board the Schooner Nelly, which brought you from Barbadoes, and that he sailed immediately for that Island.

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No. L.

*A Proclamation by Their Excellencies Brigadier-General Thomas Picton and Commodore Samuel Hood, His Majesty's Commissioners for executing the Office of Governor of Trinidad, &c.*

*Trinidad.*

WHEREAS it now appears that Colonel William Fullarton, His Majesty's First Commissioner for this Government, hath withdrawn himself therefrom, and from the duties thereof, without His Majesty's leave, and without permission from us, or any consultation with His Majesty's Council of this Island: We do, therefore, by and with the advice of His Majesty's said Council, hereby proclaim and declare, that we consider and deem the said William Fullarton no longer officiating as one of His Majesty's Commissioners in the Government of this Island; and we require all persons, Civil and Military, to govern themselves accordingly.

Given under our Hands and Seals, at the Council-Chamber, at Port d'Espana, this twenty-seventh day of April, in the year of our Lord one thousand eight hundred and three, and in the forty-third year of His Majesty's Reign.

THOMAS PICTON.

SAMUEL HOOD.

By Command of Their Excellencies,  
JOSEPH M. WOODYEAR, Sec.

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No. LI.

*A Proclamation by William Fullarton, His Majesty's First Commissioner for executing the Office of Governor in Trinidad.*

*Trinidad, June 16, 1803.*

WHEREAS, on the 27th of April, a Proclamation was issued, signed Thomas Picton, Samuel Hood, stating, that the First Commissioner for this Government had withdrawn himself therefrom, and from the duties thereof, without His Majesty's leave, and without permission from the said Thomas Picton and Samuel Hood, or any consultation with

with His Majesty's Council of this Island: Therefore, by and with the advice of His Majesty's said Council, proclaiming and declaring, in the name of the Junior Commissioners, that they considered the said William Fullarton no longer officiating as one of His Majesty's Commissioners in the Government of this Island, and requiring all persons, Civil and Military, to govern themselves accordingly.

Now, His Majesty's loyal subjects are hereby informed, that the said Proclamation of the 27th of April, contains a direct violation of the King's Authority, and tends to excite the Inhabitants of this Island to disobedience and insurrection; that the First Commissioner never did withdraw from his duty, nor act without the King's leave; on the contrary, he proceeded on a Survey, and other matters necessary to enable him to fulfil the objects specified by His Majesty's Commands. On the 12th of March he stated to the Junior Commissioners, in writing, the public objects which would require his temporary absence from Port of Spain; and on the 24th of March, he laid the communication in question before His Majesty's Council, who never intimated to him any objection on this subject.

It is further notified, that a Dispatch, dated the 23d of April, has been received from the Right Honourable Lord Hobart, His Majesty's Principal Secretary of State for the Colonial Department, intimating that B. G. Picton, having applied to be relieved from the duties of a Commissioner, His Majesty had been graciously pleased to acquiesce in his request.

And with a view of providing, as much as possible, against any misconception of the powers of the respective Commissioners, his Lordship had His Majesty's Commands to signify to them, that it was his Pleasure, that the Command of the Militia should be held solely by Mr. Fullarton, in like manner as it is held by the several Governors in the West Indies; and that, as First Commissioner, Mr. Fullarton should represent the Executive Government in the intervals between the Meetings of the Commissioners in Council, but subject to the controul of the Majority, and making the opinions of such Majority, duly recorded upon the Minutes of Council, the rule of his conduct. All orders that might be issued in the intervals between the Meetings of Council, and for the promulgation of which the Public Secretary might not already have received instructions, were to proceed from the First Commissioner, and must be respected in the same manner as if they proceeded from the Board of Commissioners, until they should be revoked by their authority. And if it should at any time happen that the Military Commissioner should be absent from the Island, and that no other General Officer should at the time be employed upon the Staff of the Island, whenever such a case might occur, it was His Majesty's Pleasure, that the Military Command should devolve

dolve on the First Commissioner, in like manner as it hath been provided for in all His Majesty's Governments in the West Indies.

The First Commissioner need hardly enjoin the dutiful and loyal subjects of Trinidad, Civil and Military, to give due obedience to these Orders of His Majesty.

WILLIAM FULLARTON.

GOD SAVE THE KING.

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No. LII.

*The Address to Colonel Fullarton.*

To His Excellency Colonel Fullarton, his Majesty's First Commissioner for executing the Office of Governor in Trinidad.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the undersigned Merchants, Planters, and others, Inhabitants of Trinidad, beg leave to assure your Excellency of our unfeigned esteem, affection and confidence.

We feel, in the highest degree, sensible of the paternal solicitude of our Gracious Sovereign, in appointing as First Commissioner for this Island, a man whose talents, integrity, and honour have been so often and highly tried and approved; and lament exceedingly that we have so long been deprived of your Excellency's presence amongst us, by an opposition as extraordinary and unexpected, as we conceive it to be unjust, unexampled, and improper. We assert to your Excellency our disapprobation of the Proclamation dated "Trinidad, April 27," as repugnant to justice, and inimical to the peace and welfare of the Colony; and of the Resolution of B. G. Picton and His Majesty's Council, of the 6th of June, as a direct violation of His Majesty's Commands, communicated by Lord Hobart's Letter of April 23:

We beg to express to your Excellency our full conviction, that your Excellency is in every respect worthy of the high trust reposed in you by His Majesty, and our confident hope of soon seeing the Colony flourish under your wise, prudent, and conciliating measures, as sole Governor, and in the administration of the equitable and admirable system of British Jurisprudence.

We feel it our duty to declare our admiration of the prudent and wise measures of your Excellency, in pursuing, at the moment you chose for that purpose, those objects of His Majesty's Commission which could effectually be carried on at a distance from Port of Spain, and assure your Excellency of our belief, that this conduct contributed most certainly and efficiently to the tranquillity which this Colony has continued to enjoy.



We have the most perfect conviction that your Excellency's Government in Trinidad will afford comfort and conciliation to all around you, and that your well known disposition will speedily heal all differences which may, unhappily, have appeared amongst us; and beg to assure your Excellency, that you will receive every support and assistance, which may become Loyal British Subjects, from the undersigned, who are happy in this opportunity of declaring, in this plain manner our warm regard and esteem for your Excellency's character and person.

James Rigby  
A. C. Crookshank  
N. Lynch  
J. Montgomerie  
Thomas Paull  
W. Brown  
Thomas Smith  
G. Fitzwilliam  
Philip Camm  
W. Patterson  
A. Watherston  
Jasper Lyon  
John Wilson  
George Dickson  
William Dickson  
James Fisher  
John Foulk  
Robert Bryce  
George Barclay  
William Ball  
David Park  
Thomas Kenny  
James Perry  
John Crie  
W. Findlay  
W. Redhead  
Thomas Ballenry  
James Graham  
Hector Aitkin  
Alexander Badenach  
R. Clarkson  
Stephen Judkin  
Robert Burns  
W. M'Kenzie, jun.  
John Timbrell  
W. Carr  
F. M'Namara  
W. Belk  
Joseph Timbrell  
John Sewell  
E. W. Bradshaw  
J. S. Rutherford, Planter  
W. M'Kay  
R. B. Walker  
W. M. Brown

Richard King  
A. Symons  
M. R. Embleton  
W. Gray  
W. Lorimer  
W. Patterson  
Frederick Brown  
Andrew Wilson  
Robert Cook  
John Williams  
W. Broadfoot  
Henry Warthon  
Alexander Mitchell  
George Potter  
Alexander M'Intosh  
Walter St. John  
W. Caldwell  
Anthony Moore  
John M'Intosh  
Constantine Egan  
John Gauntlett  
R. H. Smith  
James Rose  
John Findlay  
Maxwell Thompson  
John Mackay  
Robert Gibson  
J. S. Griffith  
Samuel Jones  
W. Greendy  
Jacob Davis  
John Rees  
Thomas Davis  
George Munro  
Charles Chapman  
William Hanna  
Richard Kennedy  
W. J. Roberts  
W. Wane  
A. Campbell  
James Hargrove  
W. Sullivan  
A. M'Auley  
Simon Watt  
Robert Douglas

Chev. d'Amaramé  
A. Savini  
Charles D. Libut  
Ruby Flynn  
Joseph Rivers  
David T. Rivers  
John Horan  
Joseph Tait, sen.  
Joseph Tait, jun.  
John Farquharson  
Joseph Simpson  
Lawrence Smith  
Edward Carney  
Frederick T. Lynch  
Jeffry Lynch  
John Sanderson  
James Taylor  
Batel St. Ville  
J. B. Luez Beaupre  
John Pierre Saulger  
W. B. M'Namara  
W. H. Scott  
John A. Savery  
Isaac Dickson  
William Proctor  
Marc Fransechi  
Edward Johnson  
Antoine Gardie  
Thomas G. Tyler  
Simeon Gardie  
David Sutherland  
J. V. Indave  
J. P. Mendez  
John Diggan  
Pable Glaseppi  
J. F. Williams  
George Allan  
C. S. Middleton  
Lachlan M'Bean  
James Adrien  
R. Washington  
Colin Adam  
F. A. Cipriani  
Nicholas West  
W. Sewell

J. T. Proby

J. T. Proby  
G. Doncaster  
Garry and Reach  
J. Campbell  
Thomas Sanders  
W. Patton  
John Monro  
Peter Morrison  
R. J. Stephens  
W. Kelly  
Thomas Warwick  
W. Jackson  
E. Platts  
P. H. Leonard  
J. Monereau  
Alexander Burn  
William Rose  
Joseph Trueman  
William Perry  
T. T. Pasca  
Thomas Higham  
John Shaw  
John M'Crobie  
Thomas Edwards  
J. Thomson  
Abram Dickson  
John Foaley  
Samuel Morris  
James Shennan  
Anthony Gilkes  
Ephraim Painter  
R. Skirrow

W. Smith  
James Bourke  
J. Stewart  
David M'Cowan  
W. Walker  
Patrick Casey  
James Jack  
M'Comie  
James Anderson  
Daniel M'Intyre  
James Harvey  
W. Benning  
John Allason  
William Stephens  
Edward Rivers  
Edward P. Wolfe  
Randle M'Donneg  
Thomas Gibbons  
J. W. Martindale  
P. Dougnane  
Renusson  
Lordat  
Le Chev. d'Audat  
William Boid  
Luc Mazeley  
Rene Pecheco  
W. Kewley  
Ellar M'Kellar  
Thomas Brett  
Jean Bonevit  
Thomas Roberts  
Logan Mitchell

Joseph Mayan  
Antonio Mendez  
Thomas Pickford  
E. Conolly  
Henry Leathom  
George Redford  
David Davies  
Richard Davies  
James Davies  
John Thatcher  
William Tolmie  
Thomas Edgar  
R. Townsend  
Stephen Chamby  
J. Rutherford, Surv. Gen.  
John Smith  
John Mathison  
Louis Crombet  
John Hallinan  
Robert Hutchinson  
James Johnston  
George Schevig  
James Whittaker  
James Cleghorn  
Arthur Robertson  
Simon Glayas  
John Banks  
John Smith  
John H. Jacobs  
D. A. Alcala

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No. LIII.

*Colonel Fullarton's Answer to the Address.*

*Port of Spain, July 12, 1808.*

GENTLEMEN,

It is impossible for me to express how much I am gratified by the testimony of confidence and approbation conveyed in the Address with which you have honoured me.

At any period, I should have felt my public conduct highly distinguished by such a declaration, from so respectable a body of men, including nearly all the Inhabitants engaged in Mercantile Concerns, and so many others possessing extensive property, and deeply interested in the welfare of this Colony.

At the present moment, however, additional value is attached to the unsolicited expressions of your sentiments; from the transactions which have occurred since my first arrival in Trinidad, and from gross mis-

mis-statements, contrived for the purpose of repelling accusations of antecedent delinquency, by new aggressions, and every species of aspersion.

As the proceedings to which your Address alludes, as well as many other transactions, must unavoidably become the subject of public discussion; I shall only at present express my satisfaction, that you, Gentlemen, who are so well acquainted with the local circumstances of this Island, have declared your unqualified approbation of the principles on which I acted, and of the moderation and conciliatory temper from which I have never deviated.

I have had the good fortune to experience very general and efficient support, in my endeavours, by gradual and progressive means, to accelerate the growing spirit of cultivation and improvement.

I shall ever feel with exultation, that during the short period in which I have acted in the Government of this Island, it has fallen to my lot to vindicate the English Name and Character from injurious imputations, and to relieve the Inhabitants from a system of illegal violence and oppression, directly contrary to the mild, wise, and liberal policy, enjoined by the Instructions of His Majesty's Ministers, and the established principles of British Jurisprudence.

I have the Honour to be,

With the greatest respect and estimation,

GENTLEMEN,

Your most faithful and obedient Servant,

(Signed) W. FULLARTON.

*To the Honourable Colonel Rigby, and the Gentlemen  
who accompanied him with the Address.*

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No. LIV.

*Address of the People of Colour, British.*

June 17, 1803.

To His Excellency Colonel William Fullarton, His Majesty's First Commissioner for executing the Office of Governor of the Island of Trinidad.

We, His Majesty's Loyal British Subjects, the People of Colour of Trinidad, penetrated with sentiments of respect and veneration, beg  
leave

leave to approach your Excellency, with our sincerest congratulations on the return of your Excellency to your Government.

We humbly beg leave to join our thanks and admiration (with the other British Inhabitants) of the wisdom, prudence, and moderation, which governed your Excellency's conduct, on an occasion the most alarming to all Loyal Subjects; who deeply lamented the difficulties your Excellency had to encounter, in fulfilling the gracious will of our beloved Sovereign.

We, as well as the greatest part of His Majesty's Natural and Loyal Subjects, have regretted much, the indignities offered to your Excellency, but feel the greatest satisfaction that they have served to cast a greater lustre on your Excellency's character.

To the most benevolent of Sovereigns, he who sways the British Sceptre, the warmest Thanks are due, not only for the wise choice he has made of your Excellency, but for making all British Subjects think and feel that they live in a British Colony, and have a British Governor.

Lewis V. Le Blanc  
James Douglas  
George Porter Frye  
Charles Grant  
Thomas Claxton  
George Glenn  
John Harrison  
William Dyer  
Andrew Hamilton  
Peter Amey  
T. Blandin  
Richard Harper  
Abraham Amey  
Joseph Amey  
Stephen Nihell  
John Cooke  
James Stilling  
A. Ravene  
Richard Wilston  
James Stewart  
Wm. Mardenbrough  
David Cuvige  
John Baptist Valmore  
Benedict W. Cuvige  
Charles Nibbes  
S. O. Taylor  
James Browne  
John Dyer  
Joseph A. Blandin  
William Coakly  
Abraham Alvaras  
George Rutherford  
Charles Nathan

M. Parkerson  
A. C. Jackson  
J. Johnson  
A. Audain  
Henry Krogman  
William Armorest  
John Birkmyre  
Richard Blacman  
Charles Farrell, sen.  
Charles Farrell, jun.  
Wm. Clark  
Wm. M'Millan  
Wm. Corbett  
B. Huggins  
Peter Martinborough  
J. Foihe  
W. Foihe  
Charles Champion  
J. O. Brown  
C. Dwyer  
J. Thibou  
J. Weatheral  
W. Delaney  
B. Dwyer  
W. Hurbert  
M. Hazell  
J. Morson  
T. Kerrett  
T. Branker  
S. H. Jesup  
J. Thomas  
T. C. Arrenstelt  
T. Phipps

J. Hamilton  
J. Steel  
C. Bertie  
J. Browne  
J. Bruce  
M. Boucant  
William Lynch  
Ebenezer Todd  
John Munro  
John Macke  
Thomas Colling  
Andrew Smith  
Simon M'Kenzie  
Peter Dumaine  
Richard Rilon  
John Williams  
John Porteus  
Joseph Mayers  
Wm. Huggins  
R. M'Shaine  
Thomas M'Shaine  
James Allers  
John Allers  
Joseph Wickham  
Henry O'Brien  
Benjamin Warner  
John Morgan  
George Gay  
Wm. Scaggin  
Andrew Ravene  
B. Delevaugh

*Completed June 20, 1803.*

No. LV.

## No. LV.

*Answer to the Address presented to Colonel Fullarton by the British People of Colour.*

GENTLEMEN,

The Address with which you have honoured me, has conveyed to my mind the most sincere satisfaction.

From what I have personally experienced during my residence in this Island, I am well assured that the sentiments of loyalty it contains, will ever be zealously supported by your adherence to the Oath of Allegiance, voluntarily taken to our Gracious Sovereign, which binds you to the strictest obedience to the Laws, and in return, secures to you, under every faithful Representative of the King, that protection and those blessings which by our happy Constitution, it is the chief glory of a British Monarch to bestow.

Accept, Gentlemen, my best thanks, for the favourable sentiments you express of my conduct, in the different circumstances which have occurred to obstruct my efforts for promoting the welfare and happiness of all the classes which compose this valuable Colony. It has been my earnest wish and endeavour to introduce the principles of conciliation, and to afford inviolable security to the property and person of every individual. On the other hand, it gives me the utmost satisfaction to bear this public testimony, that in no instance have I ever found either the White or Coloured Population of Trinidad inclined to deviate from due order and subordination.

I feel highly gratified by the confidence you are pleased to express, that in fulfilling the trust reposed in me, all the Inhabitants of Trinidad will experience the blessings of a British Government. Were not this my first object, I should but ill discharge my duty to the King, and neglect the wise and liberal instructions by which His Majesty's Ministers hoped to ensure the prosperity and improvement of the Settlement.

Be assured of my cordial wishes for your happiness, and my firm reliance, that, by a continuance of your present loyal and obedient conduct, you will ever rank amongst the most valuable and respectable subjects belonging to the British Dominions.

I have the Honour to be,

GENTLEMEN,

Your faithful and obedient Servant,

(Signed) W. FULLARTON.

No. LVI.

## No. LVI.

*Declaration from Messrs. Black, Begorrat, Langton and Gloster.*

HIS MAJESTY'S Board of Council hath received the summons of Mr. Fullarton to meet him, at his house, this day at twelve o'clock. The Minutes of the Council for some months past, and attention to a Declaration published on the 16th of this present month by Mr. Fullarton, will readily account for the surprize felt at such notification; and, as it is resolved that proper firmness and consistency shall mark the Council's public duty, it declines such Meeting.

The Council will, however, in justice to its own character, offer some observations which arise upon these extraordinary occurrences: a consciousness of acting right, and for the security and tranquillity of this valuable Colony, its Members feel individually; but, as a Public Body, the Public Voice may call for, and expect, at this period, some explanations.

Recurrence to all the Council Minutes is unnecessary; they speak for themselves; they are for the eye of the King and his Ministers; and they may, in some respect, from events, be judged of by this Community and the world at large. Upon those Minutes, in the aggregate, the Council is willing to rest the Question, of the proper or improper discharge of its Public Duties; and the undersigned Members ratify and approve in the strongest manner, all that appears on the face of those Minutes, and particularly in the expediency and necessity of the Proclamation of the 27h of April.

Mr. Fullarton, in his late Publication, hath unequivocally declared such Proclamation, "a direct violation of the King's Authority, and tends to excite insurrection and disobedience." In fact, charging his Excellency Thomas Picton, a Brigadier-General of the King's Land Forces, who, for above six years had laboured to maintain good order in Trinidad; and who, beyond the hopes of the most sanguine had succeeded; and his Excellency Samuel Hood, Esq. a Commodore in the Service, and one of the brightest in the constellation of Naval Heroes, with misprision of Treason. His Majesty's Council having approved such measure, is consequently equally inculpated, and it feels itself particularly proud to have such associates, even in what is charged by Mr. Fullarton as a heinous crime.

It will be necessary for His Majesty's Council further to state, what led to this Proclamation, and to set the motives for issuing that State Paper, in a proper light; it may vary with Mr. Fullarton's Statement of Facts, and which is to be lamented.

On the 24th of March, Mr. Fullarton stated to His Majesty's Council, that he thought it incumbent to prepare his Report, and to

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view

view in person different positions on the Island, and that those duties would prevent him from a regular attendance at the Meetings of the Council; but, at the same time, he would attend to the current Proceedings of the Board, and would be ready to express his sentiments on every material occasion, and bring forward every essential suggestion. This was the only Communication to the Council on this head, and it is ignorant\* of any Communication of the 12th of March to the Junior Commissioners; but it presumes to think, that if any such Communication had been made, it would have been laid before the Board by the Junior Commissioners, when the question of the abandonment of the Government by Mr. Fullarton, was temperately discussed.

Mr. Fullarton took his departure from Port D'Espagne on the 1st of April; and although report was strong, that he had immediately sailed out of the Bocas, and abandoned the Government, His Majesty's Council discredited the report, as not being consonant to the written professions of the King's then First Commissioner and Representative, and who never had conveyed to the Council any design to quit the Island, and with patience, becoming the dignity of their stations, waited farther Communications.

Twenty-six days after, it was verified to the Commissioners and Council, beyond the possibility of refusing conviction, that Mr. Fullarton had, in the Schooner Start, left the Gulf of Paria on the 1st of April, repaired to Union Island, one of the Grenadines, to put a Passenger and Dispatches on board the ship Limlair, Captain Cook, bound to London, and from thence had sailed, in the same Schooner Start, to St. Vincent, Martinico, and Dominica, and back again to St. Vincent.

These facts being ascertained, His Majesty's Council was convened by the acting Commissioners present, to assist with their advice upon this very new and unexpected event; and, after the maturest deliberation, the result was, the Proclamation of the 27th of April, which, being ordered to be put upon the Council Minutes by the two Commissioners and Council, was afterwards duly promulgated:—a measure, in the opinion of His Majesty's Council, absolutely necessary to secure the peace of the Country, then greatly disturbed by Mr. Fullarton's charges against his Colleague B. G. Picton; and particularly, as his Excellency Commodore Hood was on the point of assuming his Naval duties, in consequence of the rumours of War, and might not return. It may be called an extraordinary proceeding, or a novel one, but the sacred delegation of Public Trust often demands a remedy commensurate to the evil.

\* The Members of the Trinidad Council, who make this assertion, were present on the 24th of March, when Colonel Fullarton laid before them the Communication which had been made to the Junior Commissioners on the 12th of March.

The

The Members of His Majesty's Council, under these impressions, and consistent with the respect they feel for the Representatives of His Majesty, who issued that State Paper, with that duty they owe to the Public of Trinidad, and to themselves, cannot therefore form a Board of Council, until His Majesty's Gracious Pleasure be signified respecting all the differences and events, collectively considered, that have occurred in the Colony since it has been under the Government of his Commission.

*Port d'Espagne, Trinidad, 20th day of June, 1803.*

JOHN BLACK,  
ST. HILAIRE BEGORBAT,  
PHILIP LANGTON,  
ARCHIBALD GLOSTER.

No. LVII.

*Motion for Suspension of Attorney-General, June 23, 1803.*

THAT until the pleasure of His Majesty's Ministers be known, Archibald Gloster, Esq. shall be suspended from the Office of Attorney-General, and from all other Public Employments which he holds in this Island, for the following, among other reasons :

1st, For having advised and concurred in the illegal imprisonment of Mr. De Castro, Regidor, and Keeper of the Archives, on the 28th of March last ; thereby violating his duty as a Member of Council, and as a Crown Lawyer.

2dly, For having advised the illegal imprisonment of Dr. Joseph Timbrell, Surgeon of the Royal Artillery, because he refused to answer questions to B. G. Picton and Commodore Hood, respecting the execution of Hugh Gallagher, a Soldier in the Royal Artillery, who was hanged without any trial.

3dly, For having advised the illegal dismissal of Mr. Juan Montez, without any reason being assigned, from the Office of Deputy Provost-Marshal, and Deputy Alguazil Mayor, which he held by the appointment, and under the responsibility of George Augustus Adderley, Esq. ; thereby exposing Mr. Adderley, and the Public, to great loss and inconvenience.

4thly, For having prepared and advised the issuing of the illegal Proclamation of the 27th of April last.

5thly, For having concurred in the Minutes of Council, dated 3d of June ; thereby committing an act of direct resistance to the King's Authority,



Authority, and violating the Laws, which, as a Member of Council and as Attorney-General, he is bound to understand and to obey.

Copy of these reasons to be transmitted to Archibald Gloster, Esq.\*

## No. LVIII.

### *Regulations for Port St. Joseph's.*

ALL vessels entering this Port, intending to remain more than twenty-four hours, are to moor as follows: one anchor to the N. E. and one to S. W. to rig in their jib, main or mizen booms close, so as not to obstruct small vessels from working among them, under penalty of one dollar per day fine, for every day they shall remain without being moored, or booms in.

As great damage has arisen to flatts and boats landing cargoes, from bricks, stones, boilers, mills, timber, posts, &c. which have been thrown below high-water mark, as likewise to the great obstruction of rafts of lumber landing in front of the Lumber Yards: Notice is hereby given, that, should any of the aforesaid articles, or any others, be thrown below high-water mark, and remain twenty-four hours after written notice being given by the Harbour-Master to remove the same, the whole to become forfeited, and sold for the benefit of the Marine Hospital.

No stones or dirt of any kind, that can obstruct or damage cables, is to be thrown overboard in the Harbour, but landed at a place the Harbour-Master shall appoint, under penalty of one hundred dollars fine.

No pitch or tar is to be boiled on board any vessel in the Harbour, but in boats alongside or moored at the anchor-buoys, under penalty of one hundred dollars.

That no hulks are to be brought in front of the Town to westward of the Wharf, but removed as high as possible the tide will suffer them above the Wharf, at a good distance from the Town: should any remain after one week's written notice being given the Owners by the Harbour-Master, the same will become forfeited and sold.

No Spanish launches or small droghers are to remain below the Wharf longer than shall be sufficient to discharge their cargoes or load, the space between the hulks and Wharf being appropriate for them.

\* In addition to these reasons, Mr. Gloster's suspension became a matter of necessity, on account of his refusal to perform his public duties, as a Member of Council.

No

No boats are to make fast to the slip at the end of the Wharf on any pretence, the whole slip being reserved for the convenience of landing only. Boats trespassing will be taken in custody, and pay one dollar fine each time.

Masters of vessels are notified, that they subject themselves to a heavy fine by employing Negroes on board without their having a passport from their masters.

Masters of vessels bringing Foreigners or Coloured People to the Country, must immediately report the same to the Harbour-Master before they land, under penalty of one hundred dollars for each person they land without being reported.

On an alarm of three guns fired from the Sea Fort, all vessels not commissioned nor armed, will send their boats and two-thirds of their crews, with an Officer, to the King's Wharf; those armed, such men as can be spared, the whole to put themselves under the Officer commanding the Sea Fencibles, to be employed either in Forts or gun-boats.

Every vessel employed as a drogher round this Island, shall be distinguished by a particular signal, which they shall hoist on entering and leaving this Port (which signal shall be entered in a book at the Harbour-Master's Office), under penalty of four dollars each offence.

If remaining more than forty-eight hours, they shall rig in their main and jib booms, under penalty of one dollar per day for each day they remain after that period, and subject to all damages which may arise in consequence of their neglect.

Masters of droghers shall each three months give in the names of the crews they employ on board their vessels to the Harbour-Master, who shall keep a list for that purpose, that on an alarm being fired, they may haul their vessels close up to the shore above the King's Wharf, and the whole crews put themselves under the Officer commanding Sea-fencibles, to be employed where occasion may call.

All plantation-boats, or vessels not coming under the description of droghers, to have the name of the estate painted on the outside the stern.

One-half of the above fines to be paid to the informer, and the other half to the Treasurer of the Fire-Company, for Public Service.

All disputes relative to the foregoing Articles, are to be referred to the Harbour-Master.

J. H. JACOB,  
Harbour Master.

*Port of Spain, July 1809.*

## LIX.

*Instructions for Commandants of Quarters.*

Article I.—All Commandants of Quarters are hereby called upon to pay particular attention to the Regulations to serve for their instruction, published the 20th August, 1800. They are directed to see that the Article 8th, page 21, of these Regulations, be strictly observed, and that no beating of drums among Negroes be suffered on any account whatever, after nine o'clock in the evening.

Art. II.—The Commandants are charged to be very watchful themselves, as well as to direct all Proprietors or Managers of Estates to be particularly careful that no strange person be permitted to be among the Negroes of their gangs, without their being informed who they are, and fully satisfied of their having no improper motive for being there.

Art. III.—If any person or persons of suspicious characters, and particularly such as have been sent from this Island, or any of the neighbouring Islands, on account of their bad conduct or principles, introduce themselves into their quarters, they are to be immediately taken up, and sent to Government under a proper escort.—See Article 15th, page 45 of the Instructions.

Art. IV.—All persons who shall be called upon by Commandants of Quarters, to assist in arresting such person, or on any other object of Public Service, shall be bound to obey, under the penalty of being considered a public enemy, and treated accordingly.—See Article 9th, page 51, Regulations.

Art. V.—The Commandants of Quarters are to pay particular attention that no collection of arms, or other military stores whatever (except such as are allowed agreeable to the Regulations), be made in their quarter, under any pretext whatever, except by the express permission of Government.—See Articles 9th, 10th, and 11th, page 43; Regulations.

Art. VI.—The Commandants of Quarters will make known in their respective districts, that all persons, of whatever sex, class, or condition, who shall be convicted of having received and distributed, directly or indirectly, or of having received and concealed from the knowledge of Government, any paper, printed, or in manuscript, tending to disturb the Public Peace, or to raise false alarms and apprehensions in the country, shall be looked upon as Traitors, and treated accordingly: and in order to encourage those who may have any knowledge of any plot, or seditious paper, calculated to create disorders in the Colony, to inform the Government thereof, the Commandants of Quarters are authorized, on the part of Government, to offer a Reward of One Hundred

Mundred Joes, to any person who shall give such information as will convict him or her of the crime above specified.

Art. VII.—The Commandants of Quarters are charged to arrest all strangers whatever who come into their Quarters without a certificate from the Commandant of the Quarter from whence they come, of their motives for leaving their Quarters, and also stating whether they have taken the Oaths of Allegiance.

Art. VIII.—The Commandants of the Quarters on the sea-coast, will cause to be detained all canoes, pirogues, or other vessels, which shall approach their coast, the commanders of which cannot give a proper account of themselves, and shall cause them to be taken to Port of Spain, and the commanders to be sent to the Government, under a proper guard.—See Article 16th page, 46th Regulations.

Art. IX.—All Captains of vessels are strictly forbid to land any person whatever in any of the out-bays, or any other part of the Island: If any such persons should be so landed, the Commandant of the Quarter will immediately take them up and send them to the Government, with information of the Captain who landed them.

Art. X.—In case of an Alarm, the Commandants of Quarters will pay every attention to the Orders that may be issued for furnishing the Army, or detachments from it, with pioneers, horses, mules, cattle, provisions, or forage; and as, in all Military Operations, celerity is of the greatest importance, the Commandants of Quarters should consider well how this may be done with the greatest expedition possible, and so as to bear equally on the Quarter. A reasonable hire will be allowed for the pioneers, horses, mules, and draught-cattle; and if any of them die, the owners will be indemnified: the provisions and forage furnished will also be accounted for. And in order that this may be done with justice to all sides, it is recommended to the Commandants to appoint some proper person to keep an account of the articles, and to see that they are delivered, and a proper receipt taken from the Commissary, or other person having charge of that department, to serve as a voucher when the accounts are called for.

Art. XI.—The peons are exempted from serving in the Militia, unless it be their own choice; but, in case of Alarm, the Commandants, or Padres, of the respective Missions, will be ready to call out the peons under their charge, in order to assist as labourers, in any way the Commandant shall judge proper.

W. FULLARTON.

By Order of His Excellency,

J. F. BURKE,

Assistant Secretary to the Commission.

Secretary's Office, July 1, 1803.

No. LX.

## No. LX.

*Letter from Colonel Fullarton to John Sargent, Esq. concerning  
Statement of Accounts sent by Mr. Gloster.*

SIR,

21, Brompton-Row, Dec. 2, 1803.

IT was only yesterday that I discovered by accident, that Mr. Gloster, Attorney-General of Trinidad, had transmitted to the Right Honourable Board of Treasury a Letter and Account, with observations respecting the sums which I had drawn, or directed to be paid during the period of my officiating as First Commissioner of Government in Trinidad. Having seen a Letter from you to Lord Hobart's Office on the subject, I take the liberty of requesting that you will have the goodness to furnish me with copies of the papers in question, in order that I may be enabled to transmit to you, for the information of the Lords of His Majesty's Treasury, a refutation of the mis-statements which I understand have been received. I am already in possession of a similar document, which B. G. Picton has subjoined to a disgraceful libel.

As the immediate subject of this Letter refers to pecuniary transactions, and orders on the public account, I am unwilling for a moment to delay the fullest explanation and exposition that the case may require; and under those impressions, have given you the trouble of this Letter.

I have the Honour to be,

SIR,

Your faithful and obedient Servant,

(Signed)

W. FULLARTON.

*To John Sargent, Esq. &c. &c. &c.*

## No. LXI.

*Letter from John Sargent, Esq. to Colonel Fullarton, with Mr. Gloster's  
Letter.*

SIR,

HAVING laid before the Lords Commissioners of His Majesty's Treasury, your Letter of the 2d instant, requesting to be furnished with

with copies of Papers from Mr. Gloster, Attorney-General of Trinidad, respecting the sums drawn by you from the Public Treasury of that Island, during the time you officiated there as First Commissioner; I am commanded by their Lordships to transmit to you copies the said Papers accordingly.

I am, Sir,  
Your most obedient Servant,

*Treasury-Chambers, Dec. 16, 1803.*

JOHN SARGENT.

*Colonel Fullarton, 21, Brompton-Row.*

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No. LXII.

*Letter from Colonel Fullarton to John Sargent, Esq. &c. &c. &c.*

SIR,

*21, Brompton-Row, Jan. 3, 1804.*

I have received the honour of your Letter, enclosing a Communication from Mr. Gloster to Mr. Vansittart, and accompanied by a Statement of Monies asserted to have been drawn from the Public Treasury of Trinidad by me while acting in that Island. A similar Document had reached me in another form, as an integral part of a libellous production against me and various other persons, prepared and circulated by B. G. Picton.

Several printed proof-sheets of that Work were presented by me to the Lords of His Majesty's Council, as affording a stronger and more appropriate delineation of the Brigadier's character and modes of expression, than any thing in my power to offer. The Account annexed to it was obviously a copy from Mr. Gloster's Document, now under consideration. Both of them are brought forward with the same view, of endeavouring to repel, by insolence and calumny, the serious charges, from which, on the 24th of last March I stated to B. G. Picton in Council, that it was requisite for his character, and for the National Character of England, to clear himself by public trial.

In the capacity of Attorney-General, I observe, that Mr. Gloster assumes, under the Spanish Law, a Fiscal Power; and maintains that, by virtue of his office, he can control the issue of Public Monies; and adds, that he never was consulted in any shape\*.

His Majesty's Commands, directing the Commissioners of Trinidad

\* A plan was formed for extending the powers of Mr. Gloster much farther, and for putting under his control the Estates of all the Minors, Litigants and Absentees connected with the Island.

to appoint Mr. Gloster Attorney-General in that Island, convey no Fiscal Powers whatever, and the Spanish Law, directly precludes him from the exercise of any financial authority \*. I mention these circumstances, to prove that the disagreeable necessity of transmitting the Accounts in question, existed only in the imagination of Mr. Gloster, and, at any rate, could not lay him under an obligation of attempting to impose on the Lords of His Majesty's Treasury, assertions, items and remarks, directly contradicted by the facts.

In the first place, it remains for Mr. Gloster to explain on what principle he ventured to assert, that I received from the Treasurer of Trinidad 35,000 dollars. On the contrary, I never received, directly or indirectly, on any account whatever, one fraction more than the salary fixed by His Majesty's Ministers, namely, at the rate of 3000l. sterling per annum, which, before my departure from England, was directed to take place from the date of my appointment, in June 1802.

This determination was officially communicated to me, and acted upon before my departure; of course, I could not suppose it subject to the revisal, audit, or rejection of Mr. Gloster, otherwise it would appear no less singular than some other assertions circulated by that Gentleman, which must come under discussion in their proper time and place. But, if Mr. Gloster had been invested with any such controlling powers, it would have been more regular to have expressed his dissent from the amount of my allowances before he and I left England.

See the Instructions for the Commissioners of Trinidad.

At that period, he undoubtedly possessed all the powers belonging to the Attorney-General of Trinidad; but at the moment when he addressed Mr. Vansittart, ignorant as Mr. Gloster has proved himself to be, of all Spanish Laws and Spanish Regulations, yet he must be sufficiently conversant in the Acts and Regulations of the British Colonies to know, that his re-assuming the powers of Attorney-General was illegal, and a continuation of the same violation of the King's Authority, which had rendered it my indispensable duty to suspend him from all public employment until the pleasure of His Majesty should be known. The reasons of this suspension are annexed; and I do not hesitate to maintain, that no power or authority inferior to that of Lord Hobart, as Secretary of State for the Colonial Department, intimating the King's Pleasure, is warranted to reinstate Mr. Gloster in any public situation in the Island of Trinidad.

But, as Mr. Gloster stands accused as a Public Delinquent, and must justify himself by investigation, as well as Mr. Black, Mr. Begorrat, and Mr. Woodyear, I shall abstain at present from the com-

\* This will be verified by the Assessor for the Spanish Laws in Trinidad, Don Pedro Vargas, who is now in London.

ments.

ments naturally suggested by their conduct \*. Although it may appear somewhat of a digression from the mere matter of the Account before you, I feel it my duty to add, that the mass of libellous aspersion which has been poured forth by the persons in question, has already given rise to misrepresentations, no less injurious to Government, than pernicious to the valuable Colony of Trinidad.

In the discharge of my duties as First Commissioner of that Island, I have suffered so much insolence and aggression, as renders a public exposition of the objects, for which the parties in question have resorted to such calumnies, no less essential to my own honour, than incumbent on me as a matter of duty to the King and to the Public Service.

I request that you will have the goodness to submit this Letter, and the accompanying Papers, to the consideration of the Right Honourable Chancellor of the Exchequer, and the Lords of His Majesty's Treasury.

I have the Honour to be,  
With great Respect,

SIR,

Your faithful and obedient Servant,

W. FULLARTON.

John Sargent, Esq. &c. &c. &c.

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No. LXIII.

*Letter from Mr. Gloster to Nicholas Vansittart, Esq.*

SIR,

Trinidad, August 12, 1803.

I am under the disagreeable necessity of enclosing you an Account, in which it will appear that Mr. Fullarton has drawn from the Public Treasury of this Colony the sum of Thirty-five Thousand Eight Hundred Dollars, or upwards of Eight Thousand Three Hundred Pounds, Sterling Money, in the course of a very few months residence here. He can best explain his right to the Act which fills every one with astonishment; and the Planters, to whom the Tax of  $3\frac{1}{2}$  per cent. at best is unpalatable, *even well appropriated*, express their decided disapprobation of such profuse and lavish expenditure!—His Majesty's Ministers, I conceive, must do the same.—For my part, although, under the Spanish Law, as Attorney General, I have a Fiscal Power, and by

\* The unhappy situation to which Mr. Woodyear has reduced himself, by contradicting his written Declaration upon oath, would, ere now, have exposed him to a public prosecution, if I had not been restrained by considerations for his family.



virtue of my Office, can controul the issue of Public Monies, I never was consulted in any shape.

I have the Honour to be,

SIR,

With respect,

Your most faithful and obedient Servant,

ARCHIBALD GLOSTER.

Nicholas Vansittart, Esq.  
Treasury, London.

No. LXIV.

*Statement of Monies asserted to have been drawn by Colonel Fullarton in Trinidad; transmitted by Mr. Gloster to Mr. Vansittart.*

July 21, 1803.

Monies actually received by Mr. Fullarton from the Treasurer of Trinidad :

	Dollars.
No. 1.—Salary from June 10, 1802, to October 1803, at 3000l. sterling per ann. (dollar at 4s. 8d. sterling),	17,946 4
2.—Secret-service monies,	5000 0
3.—Hire of schooner Start,	8572 3
4.—J. Burke, Secretary, 13th October 1802, to 13th October 1803, at one guinea per day,	1643 0
5.—Hill, ditto, from ditto,	1643 0
6.—Vint, ditto, from ditto, at 10s. 6d.	574 0
7.—Hunter, ditto, from ditto, at 250l. sterling per ann.	422 0
	<hr/>
	Dollars 35,802 7

Orders

Orders left by Mr. Fullarton on Treasurer, for acceptance :

	Dollars.
Mr. Munro, carpenter, for repairs of house called Govern- ment-house, but belonging to the Army,	4672 2
Charles Granger, mason, - -	1380 0
Jos. Mayers, carpenter, - -	123 0
Florent, for rent of a store, - -	64 0
Captain Gutzmer's account for stores, &c. put in ship Cum- berland, in which he took his passage for Scotland,	1573 0
	<hr/>
	Dollars 7812 2

Total dollars 43,615, or 10,176l. 16s. 8d. sterling.

ARCHIBALD GLOSTER.

Trinidad.

REMARKS.

No. 1.—It will be observed, that Mr. Fullarton was only gazetted as First Commissioner on the 10th of June, 1802, and that his Commission was not signed by the King until the 13th of October, 1802. His salary, it is presumed, should have commenced on the latter day, and expired the day of his departure ; but he has drawn four months before his Commission was dated, and four months after he quitted ; eight months in all. If a Governor has leave of absence of the King, it is the custom for the Governor, in his absence, to draw half of his salary ; the remaining half goes to his *locum tenens* upon the spot. Mr. Fullarton drew 1500l. in London, from the Exchequer, in advance, consequently he is debtor to the Treasury that sum, having drawn it from the Trinidad Funds, and cannot receive it twice. Mr. Fullarton's salary for four months' residence in Trinidad, is therefore upwards of 4000 guineas.

No. 2.—This is a charge thus lumped without items, and in time of profound peace ! Governor Picton is in London, and will explain, if he in six years of his command, during war and difficulties, ever expended half the sum. Against this charge the clamour is great.

No. 3.—The schooner *Start* was hired in direct opposition to General Picton's and Commodore Hood's opinion. The Commodore offered the Advice or Express commissioned Brigs of War, commanded by Lieutenants in the Royal Navy, for the Public Service ; but Mr. Fullarton rejected this. The Council of Trinidad opposed also such a heavy expenditure, but in vain, which their Minutes of the day of will shew. The owners of the schooner *Start*, are some way distantly related, I hear, to Mr. Fullarton. The vessel could have been bought for less

less money than the hire, and would have been now cruising, to protect the Trade in the Gulf.

No. 4.—A Governor's Secretary is here allowed the unheard-of salary of a guinea per day; the Commander-in-Chief's Secretary has only 10s.; and no Secretary in the West Indies more than 10s. N. B. Government allowed the Secretary to the Commission a thousand per ann. in lieu of fees\*.

No. 5.—Another Secretary, in full pay, at a guinea per day.

No. 6.—Another ditto, at half-a-guinea per day!

No. 7.—A fourth ditto, at 250l. sterling per year!

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No. LXV.

*Colonel Fullarton's Answer to Mr. Gloster's Statement of Accounts.*

No. 1.—Salary from June 10, 1802, to October 1803, at 3000l. sterling per annum.

Dollars, at 4s. 8d. sterling, - (Dollars) 17,946 4

Whatever Mr. Gloster may presume respecting the period when Colonel Fullarton's salary should have commenced, it was officially determined by His Majesty's Treasury, in conjunction with Lord Hobart's Office, that the salary should be drawn from the day on which he was gazetted as First Commissioner, and accordingly the Treasury advanced six months salary, counting from that date, to all the Members of the Commission, and to the Surveyor-General's Department. But before Colonel Fullarton's departure, he was officially informed that the sum in question should be paid to him in Trinidad, and that the sum received from His Majesty's Treasury in England should be replaced or accounted for.

Mr. Gloster's supposition respecting a Governor, having leave of absence from the King, giving half his salary to his Deputy cannot apply to Colonel Fullarton, who is not a Governor, and is not absent by leave, but ordered home on public duty.

No. 2.—Secret Service Monies, - - (Dollars) 5000

The insertion of this item is an endeavour on the part of Mr. Gloster to impose a gross mis-statement on the Lords Commissioners of His Majesty's Treasury. The fact is, that Colonel Fullarton never received nor charged one shilling on account of Secret Service, having

\* No observation is made here for fees taken by the Secretary, for Commissions, let passes, &c. to a shameful amount. Governor Picton's Secretaries charged no fees.

neither

neither inclination nor authority so to do. The 5000 dollars in question were paid by the Treasurer to the Acting Secretary to the Commission, and to be accounted for by him as a matter of public disbursement, in the usual form. The clamour against this charge, therefore, and the charge itself, originate entirely with Mr. Gloster. Colonel Fullarton never did receive nor accept any sum whatever, as fees, emoluments or otherwise, confining himself merely to his salary, and reserving of course his indisputable claim to indemnification for the losses and expences occasioned by the hurried manner of his embarkation, or by the voyage. With respect to fees, however, although Colonel Fullarton refused to receive any for himself, he was neither authorized nor disposed to restrain them from being received at the usual and established rates for the benefit of the Junior Commissioners, or of others who might have claims upon them; in the same manner as in the other Islands, agreeably to the amount which used to be paid to the Private Secretary of B. G. Picton, of which the accompanying Letter from Charles Hayes, Esq. affords the proof.

When Mr. Gloster, in addressing the Lords Commissioners of His Majesty's Treasury, dares to apply the word shameful, to any transaction that ever occurred under Colonel Fullarton, he knows the audacity of his own assertion, and ought to understand, that the insolence of his expression is unbecoming to the Right Honourable Board.

By accepting the office of Commissioner in Trinidad, Colonel Fullarton did not come under any obligation to suffer insolence and aggression from individuals who have been habituated to hear and bear a brutality of expression under B. G. Picton, which has no example in any civilized society.

It has not, however, passed without observation, that similar instances of aggression have been addressed by these adherents of B. G. Picton, namely, by Mr. Gloster to the Treasury, by Mr. Marryat to the Colonial Department, and by Major Collins to the Privy Council.

Colonel Fullarton trusts, that at some stage of the proceedings, these improprieties will not be suffered to pass without animadversion.

No. 3.—Hire of Schooner Start, ————— 8572 3

The Schooner Start was hired in consequence of urgent and repeated official application from Colonel Rutherford, as Surveyor-General, stating that some vessel of that description was indispensably required, to enable him to fulfil the duties of his office.

A Government vessel had always been employed under Governor Picton, and was only disposed of, or discharged by him a short time before the Commission was announced.

In consequence of Colonel Rutherford's application, Colonel Fullarton requested Mr. Burnet, Surveyor of the Navy, and Captain Jacobs, Harbour-

Harbour-Master, to select and report upon a proper vessel for the purposes specified by the Surveyor-General. They fixed on the Start Schooner, belonging to Messrs. Dicksons, two very respectable merchants, with whom Colonel Fullarton was entirely unacquainted at that time, although Mr. Gloster is pleased to state him as related to them.

Colonel Fullarton begs leave add, in answer to all such observations, that to the best of his knowledge and belief, he has not the honour of being related to, or connected with, any person in the Island of Trinidad.—The arrangements were adjusted by the Surveyor General's Department, with the aid and advice of Messrs. Burnet and Jacobs, and the rate of the engagement fixed by respectable Merchants, on the most æconomical terms for the Public.—These circumstances were agreed on before Commodore Hood's arrival in Trinidad, although some time having been necessary for fitting up the Schooner in the way required, the Vessel was not actually in the pay of Government for some time after, and in the month of March, Colonel Fullarton addressed Lord Hobart on the subject, stating that the Vessel was hired for three months, until his Lordship's pleasure should be known. So far from the Advice or Express commissioned Brigs of War having been offered for the duty in question, they were at that time employed on Naval Service among the other Islands. One of them was afterwards employed with Mr. Burnet, without any intimation or offer to Colonel Fullarton or to Colonel Rutherford concerning them; Colonel Fullarton therefore could have no opportunity of rejecting what was never proposed.

The Council of Trinidad never did oppose the hiring of the Start in the presence of Colonel Fullarton: what may have been put upon the Minutes after Colonel Fullarton left Port of Spain in the Start Schooner, appears to be very indistinctly known to Mr. Gloster, who has left a blank to be filled up as occasion may require.

That the Vessel could have been bought for less money than the hire, is one of those assertions which costs Mr. Gloster nothing.—It is, however, undoubtedly true, that the Schooner ought now to have been cruizing for protecting the Trade in the Gulf of Paria. With this view, Colonel Fullarton applied for Guns to arm the Schooner, which were refused; and he learns that since his departure, the Schooner has been discharged from the service of Government, although it has pleased Commodore Hood to leave the Island of Trinidad without the Advice or Express Brigs of War, and without any sort of Naval Protection; in consequence of which a great number of Trinidad Vessels have been captured.

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No. 4.—J. Burke, Secretary, October 13, 1802, to October 13, 1803,  
 at One Guinea per day, - - - (Dollars) 1643  
 Mr.

Mr. Gloster erroneously states this Gentleman as a Governor's Secretary.

There is no Governor, and no Governor's Secretary, and Colonel Fullarton was not allowed any Private Secretary. Mr. Burke was appointed Assistant Secretary to the Commission, and acted in that capacity with ability and assiduity. His knowledge of Spanish, French, and Italian, rendered him peculiarly necessary in that Office, where great part of the current business was unavoidably conducted in those languages.

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No. 5.—Hill, ditto, from ditto, - - - (Dollars) 1643

Mr. Hill's ability and assiduity in the discharge of his official duty, and his long habits of acquaintance with West Indian Transactions, rendered him a valuable public servant.

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No. 6.—Vint, ditto, from ditto, at 10s. 6d. per day, - - - 574

Mr. Vint was appointed with the view of assisting and conducting the Botanical and Mineralogical Researches, directed by the King's Instructions, and necessary to enable that part of the Report to be completed: for the latter of these purposes he was well qualified, and under the directions of Mr. Vargas and of Dr. Anderson, would have rendered himself useful in the former branch. But the mass of business connected with the Secretary's Office, rendered it absolutely impossible for Messrs. Burke and Hill, with all their activity and exertion, to accomplish it without additional aid, and therefore Mr. Vint was appointed to assist them. Before Mr. Gloster ventures to pronounce that there were too many persons employed, he ought to know the Instructions under which they were appointed, and the Duties which they performed.

So far were the Salaries to these Gentlemen unheard of, as stated by Mr. Gloster, and no Secretary in the West Indies allowed more than 10s. per day, that the Assistants in the Commissaries' Department received one guinea per day, and Secretaries to Commanders-in-Chief have constantly other Emoluments. The sum allowed to Messrs. Burke, Hill, and Vint, would have been so inadequate to their expences, if they had been obliged to have furnished Lodgings and Subsistence for themselves, that Colonel Fullarton addressed Lord Hobart on the subject.

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No. 7.—Hunter, ditto, from ditto, at 250l. per ann. (Dollars) 422

In the first place, this item is most incorrectly stated, as to the date and the amount; and in the next place, Mr. Hunter was in no respect  
 T Secretary

Secretary to the Commission; but on the death of Captain Mallet, when Major Williamson and Mr. Maingot were appointed Joint Commissaries of Population, the Office of Secretary to the Commissaries of Population became vacant by Mr. Maingot's promotion, and Mr. Hunter was appointed in his room, for the reasons specified in a Letter to Lord Hobart.

The assertion, that no Fees were taken by the Secretaries under Governor Picton, is already contradicted by the Letter from Mr. Hayes.

The next part of Mr. Gloster's Statement, specifies orders left by Mr. Fullarton on the Treasurer for acceptance. This is most incorrectly stated: Colonel Fullarton left no orders for acceptance, but gave orders for payment to persons having claims on the Public Account, in the usual form.

	Dollars.
Mr. Monro, Carpenter, for repairs of a house called	
Government House, but belonging to the Army,	- - 4672 2
Charles Granger, mason,	- - - - 1380 0
Joseph Mayers, carpenter,	- - - - 123 0
Florent, for rent of a store,	- - - - 64 0

That the house in question was considered as belonging to Government, is proved by the accompanying Letter from Mr. Whitmore.

The proceedings which afterwards took place respecting it, will appear from the annexed Copy of a Letter from Colonel Fullarton to General Grinfield, and the claim of the Commissary on the part of the Army, as specified in the accompanying Letter from Brigadier-General Frederick Maitland, who did claim the house as belonging to the Army, and addressed Colonel Fullarton on the subject, with the view, as he understood, of the matter being submitted to the decision of the Lords Commissioners of His Majesty's Treasury. Whether their Lordships shall be pleased to determine the matter one way or the other, the repairs bestowed upon the house were necessary, and as economical as the nature of West Indian charges permit.—A great deal of money was thereby saved to Government or the Colony, and the repairs in question have rendered the property of much greater additional value than the sum expended.

The last article is, Captain Gutzmer's Account for Stores, &c. put on board the Ship Cumberland, in which Colonel Fullarton took his pasasage for Scotland, 1573 dollars.

On the 18th of July Brigadier-General Hislop arrived, and in obedience to the orders received by him, it was Colonel Fullarton's duty to sail with the Convoy on the 20th of July. His own family consisted of nine persons, and he was under the necessity of requiring the attendance of nine other persons, on the public business for which he

he was directed to return to England; in all eighteen persons, whose passages and subsistence were of course to be provided for at the public expence.

A part of that expence consisted in Captain Gutzmer's Account, and it appears that Mr. Gloster, with the authority which he has assumed, directed or advised the Treasurer not to pay that demand.

In consequence of this refusal, Captain Gutzmer has drawn on Colonel Fullarton's Private Account in this Country. Colonel Fullarton has only to request that Mr. Sargent will have the goodness to submit this statement of the case to the Lords Commissioners of His Majesty's Treasury, and to communicate their Commands to Colonel Fullarton upon the subject.

In order that the Lords Commissioners of His Majesty's Treasury may be acquainted with the principles and opinions of Mr. Gloster, as a public and private character, Colonel Fullarton submits to their perusal, Copies of two Letters, signed Archibald Gloster, of which the originals are in Colonel Fullarton's possession.

## No. LXVI.

*Letter from C. A. Hayes, Esq. to J. F. Burke Esq. respecting Fees received by Captain Shelton and Mr. Woodyear.*

SIR,

Hackney, Nov. 1, 1803.

In answer to your Letter of Inquiry respecting the Fees taken by the Secretary of General Picton, previous to the Commissioners arriving at Trinidad, I believe it has been the custom of all the West India Islands, for the Secretary to the Governor to take Fees; and I never heard that the Secretaries in Trinidad departed from the rules long established in the other Islands. I have paid fees to General Picton's Secretaries on the following occasions:

	Dollars.
To Major Pitman, while acting for Captain Shelton, Secretary to General Picton, for my License to act as Barrister and Attorney, - - - - -	40
To Captain Shelton, for my Commission as Captain in the Royal Trinidad Colonial Artillery, - - - - -	16
For a Pass to Grenada, - - - - -	1
	<hr/> 57



I believe Mr. Woodyear, upon entering his Office, followed the Tariff of Captain Shelton. I paid him, for the renewal of the place of Vendue Master to Mr. Joseph Swinborne, the sum of - - - 17 3

Dollars.

I thought these Sums, at the time I paid them, the *proper Fees* of the *Secretary*, and have never had reason since to believe they were not so.

I am, Sir,

Your most obidient Servant,

(Signed) CHAS. AUG. HAYES.

J. F. Burke, Esq.

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No. XLVII.

*Letter to Nicholas Vansittart, Esq. respecting Mis-statement of Account by Colonel Picton.*

SIR,

21, Brompton-Row, Feb. 4, 1804.

I request to be favoured with a Copy of the Letter and Statement transmitted to the Right Honourable Board of Treasury by B. G. Picton, respecting the Sums of Money which he left in the Treasury of Trinidad, and which he has presumed to assert, were expended under my direction.

I only heard his Letter read on Friday, and this morning I had the honour of shewing you an Account of Balances and Expenditure under the Hand of the Treasurer, Mr. Collins.

By these it is proved, that instead of leaving above 150,000 Dollars, which I understand he states me to have wasted, or improperly applied, only 86,740 Dollars remained in the Treasury on my return to the Government in the end of June.

It is to be remarked, that in the first week of January, when I arrived at Trinidad, there were in the Treasury 88,203 Dollars. During the two succeeding months, when my casting voice decided the Colonial Expenditure, only 1721 Dollars were drawn from the Treasury.

On the 1st of March the Balance in the Treasurer's hands amounted to 92,777 Dollars. To this sum must be added the Receipts during the same period, amounting to 20,303 Dollars. During the succeeding months the Government depended on the Votes of B. G. Picton and Commodore Hood, and the Expenditure amounted to no less than 76,341 Dollars. I am not auditing these Accounts, and therefore I refrain from offering any comments on them. They are only mentioned, to shew the gross mis-statement by which Colonel Picton attributes

attributes to me a series of disbursements, of which the merits or demerits are entirely to be ascribed to him and to his Colleague, Commodore Hood.

I have the Honour to be, &c.

(Signed) W. FULLARTON.

I trust that you will have the goodness to communicate this Letter to the Right Honourable Chancellor of the Exchequer, and to the Lords of His Majesty's Treasury.

*To Nicholas Vansittart, Esq. &c. &c. &c.*

N. B. Copy of this Letter sent to Mr. Sullivan for Lord Hobart, 6th of February, with Copy of Balance and Account of Disbursements, by the Treasurer, Mr. Collins.

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No. LXVIII.

*Letter from Colonel Fullarton to John Sullivan, Esq. respecting a Mis-statement of Account by Colonel Picton.*

21, Brompton-Row, February 6, 1804.

Colonel Fullarton presents his best Respects to Mr. Sullivan, and requests he will have the goodness to peruse, and to submit to Lord Hobart, the enclosed Copy of a Letter, addressed to Mr. Vansittart, respecting a Mis-statement of Accompts by Colonel Picton, which he trusts the facts certified by the Treasurer of Trinidad, Mr. Collins, in the accompanying Paper, will completely expose.

Colonel Fullarton has to express his satisfaction, that Colonel Picton has afforded him those opportunities of proving to the Colonial Department and to the Treasury, that in Matters of Accompt he is no less apt to deviate from the truth, than in his Official Communication respecting Colonel Fullarton's insanity, and other diseases of the head and heart.

Colonel Fullarton relies on the justice of Administration, for receiving Copies of all Mis-statements on the subject of Trinidad, in order that he may answer them as they deserve.

## No. LXIX.

*Letter from Colonel Fullarton to Newton Barton, Esq.*

21, Brompton-Row, 19th January, 1804.

SIR,

I REQUEST you will have the goodness to submit the enclosed Papers to the Right Honourable Chancellor of Exchequer. They contain a Letter, and Exposition, addressed by me to Mr. Sargent, in answer to a Document transmitted to the Treasury by Mr. Gloster. Nothing less urgent than a gross Mis-statement of this description, respecting a Public Account, could have induced me to bring forward, at this moment, any detached part of the transactions connected with Trinidad.

Since my return from that Island, I have felt it becoming my character, under all the circumstances of the case, to abstain from troubling Mr. Addington, or any of His Majesty's Ministers, either in person or by letter, confining myself merely to such Communications as were indispensably requisite with the Colonial Department under which I have lately acted, and to the necessary attendance at the Privy Council, in the course of substantiating the Criminal Charges already proved by evidence against Colonel Picton. As the questions at issue affected the life of that Officer, I have avoided all *ex parte* explanations, except to the able and distinguished Legal Advisers with whom I consult, or to such persons as are immediately concerned. I have persisted in this determination, until six Criminal Charges of death, unlawfully inflicted, were discussed before the Privy Council, and disposed of, by admitting Colonel Picton to Bail. It was very anxiously my wish to have persevered in the same silence, until all the other Charges, which it has been my indispensable duty to state against Colonel Picton, had undergone investigation. Whatever may afterwards occur, it has already been sufficiently established, that Colonel Picton is a person with whom it was impossible for me to have co-operated.

I am aware, however, that, by this mode of acting, I have suffered various calumnies, and libellous aspersions, to be circulated. Such of them as have been concealed from me, have, of course, remained unanswered in the Public Offices; although it would be disrespectful to the character of Government, to suppose that they could be entertained or credited, without giving me an opportunity of refuting them. With respect to any improper effects which such fabrications were intended to produce concerning me, I possess most ample and authentic proofs to expose every individual fallacy which has yet come to my knowledge

knowledge on the subject, and all the motives with which they are sent forth, and therefore I disregard them.

On the other hand, whenever the cases and transactions in question come before the Public, which, in some form or other, must, of course, take place, the merit and necessity, on public grounds, of bringing them forward, will be established on my part by indisputable evidence; at the same time, I shall have little difficulty in shewing the injuries and outrages to which I have been exposed by the faithful performance of my duty, and the improper predicament in which I have stood, and still remain.

In the present stage of the Proceedings, there are particulars, not only affecting the Colonial Interests of Trinidad, and the important relations of that Island with the adjacent Continent, but immediately connected with the estimation of Government, and with the National Character and Justice of this Country, which ought not to be concealed from Mr. Addington, in case he thinks proper to be made acquainted with them.

Under these impressions, you will oblige me by any intimations which Mr. Addington may be pleased to communicate.

I have the Honour to be,

SIR,

Your most faithful and obedient Servant,

(Signed)

W. FULLARTON.

Newton Barton, Esq. &c. &c. &c.

No. LXX.

*Letter from Lieutenant-General Hislop to Lord Hobart.*

*Trinidad, January 15, 1804.*

MY LORD,

I HAVE had the Honour to receive your Lordship's Letter of the 3d November, and in obedience to the commands therein contained, I herewith transmit an Account furnished by the Colonial Treasurer, and signed by him, of every sum which was paid by him by the orders of the First Commissioner Fullarton. I trust it will be as explicit in every respect as your Lordship may require, presuming that your Lordship did not intend that I was to enter into a refutation, or otherwise, of any of the remarks which Mr. Gloster annexes to his Statement, which being wholly foreign to any of the payments or expences in-

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curred

curred, I do not imagine they could be properly introduced in this Communication. It may not, however, possibly be deviating too much from official form, if I merely observe that it has struck me, that Mr. Gloster's information on every point contained in those remarks, has not been quite exact: that which relates to the house occupied by the First Commissioner is called belonging to the Army, which by no means appears to me to be the case. It was the private property of a resident Commissary, who having contracted debts on account of Government, the house (among other articles belonging to him) was sold for the payment of his public debt, and purchased in by the Commissary-General, on Government account, but not particularly for the Army; and it being a house belonging to the King, and the most conveniently situated for the First Commissioner, I imagine he possessed it with every degree of right, and, as such, considerable expences for repairs were indispensable, and will yet be required, to make it habitable.

The annual amount of the Colonial Revenue for the last three years, as appears by the Treasurer's Books, is as follows:

		Dollars.	
1801,	- - - - -	64,514	1
1802,	- - - - -	67,822	1
1803,	- - - - -	57,103	7½

I have the Honour to be, &c.

(Signed) T. HISLOP.

No. LXXI.

*Letter from Mr. Marryat, to the Right Honourable Lord Hobart.*

*New Bridge-Street, October 10, 1803.*

MY LORD,

I BEG leave to lay before your Lordship a charge against Colonel Fullarton, while he commanded at Trinidad, the investigation of which is due not only to myself as an individual, but to public justice.

It is necessary to state to your Lordship, that a Mr. Thomas Smith, dismissed from the Commissary Department in Martinique, for peculation, went down to Trinidad in the year 1798, and there purchased half the Estate of Mr. Michael Loreithe. In part of this purchase he gave a bond to pay me 4000l. on Mr. Loreithe's account, and having made these arrangements, came to London, but only paid me 1500l. out of the 4000l. Hearing of Mr. Loreithe's death, he went out again to Trinidad,

Trinidad, and got possession of the Estate in 1801. My Attorney there called on him for payment of the Balance due upon his Bond, as well as for Mr. Loreithe's moiety of the revenue of the Estate, who was considerably indebted to me at the time of his decease, and the Court decreed that fifty hogsheads of sugar, part of the crop of 1802, should be paid to me. Mr. Smith pleaded, that though, as a creditor, I could demand payment, I had no claim to the commission upon the sale of the sugars: and on that ground obtained leave to consign them to his own correspondent, Mr. John Jaffray, of this City, with orders to pay me the net proceeds. On applying to Mr. Jaffray for the money when I presumed the sugars were in course of payment, he wrote me, that though Mr. Smith had at first ordered him to account to me for them, he had afterwards countermanded those orders, and that therefore he should pay me nothing. I sent this Letter, duly authenticated, out to Trinidad, and my Attorney there, Mr. Wm. Handley, again applied to the Court for redress, and obtained a Decree on the 14th of July last, that the Bills of Lading of fifty hogsheads of the sugars of the present crop, shipped by Mr. Smith on board the Comet, Captain Tate, for London, should be made deliverable to me; and the Judge summoned Mr. Smith to appear before him, and give the necessary orders accordingly. Mr. Smith refused to obey, and the Judge in consequence laid his Decree before Colonel Fullarton, then acting as Governor, who, as Mr. Handley advises me, instead of enforcing it, suffered his friend, Mr. Smith, to keep the sugars, which are lost to me in consequence. Mr. Handley adds, that Colonel Fullarton had appointed this Mr. Smith one of his Aids-du-Camp, and Captain Commandant of the quarter of Naparima. I impute it not to him as a crime, that he gave his confidence, and such high station, to a man of blasted character; for Mr. Handley advises me, that most of the respectable Inhabitants refused to act under Colonel Fullarton, and resigned their public offices in the Colony, on his taking the command of it: he probably, therefore, had little choice among men of any other description. But I do impute it to him as a heinous crime, that, to serve such a man, he subverted that Law which it was his bounden duty to enforce. Mr. Handley is not one of those inhabitants who sought refuge in Trinidad, from just demands, under the Spanish Cedula; he established himself there nineteen years ago, with the same unblemished reputation that he now leaves it, which, he writes me, he is about to do, from the Laws not giving that protection to property, which every man of property naturally expects.

The interests I have at stake in Trinidad are of considerable magnitude, and entitle me to submit to your Lordship, whether such circumstances as I have stated, must not necessarily excite apprehensions in the minds of many persons either residing in, or connected with that Colony,

Colony, which policy as well as justice, loudly calls upon His Majesty's Ministers to remove.

I have the Honour to be, &c.

(Signed)

JOSEPH MARRYAT\*.

*Right Hon. Lord Hobart, &c. &c. &c.*

## No. LXXII.

*Letter from Colonel Fullarton to Lord Hobart, in Answer to Mr. Marryat.*

25, King-Street, St. James's, Nov. 5, 1803.

MY LORD,

I HAD, this afternoon, the honour of a Note from Mr. Sullivan, by your Lordship's directions, accompanying a Statement from Mr. Joseph Marryat, containing what he is pleased to call a charge against me.

I understand that Mr. Marryat is a Merchant, and a Trinidad Planter. In both of these capacities, before he addressed your Lordship as Secretary of State, it was his duty to have informed himself, that sugars, or other articles, when shipped and afloat, are no longer subject to the decision of any Tribunal on shore, except the Court of Admiralty.

It will require more proof than the vague assertion of Mr. Marryat, that Mr. Smith, or any other reasonable person, would disobey the orders of a Judge, when regularly intimated, on a subject within his jurisdiction.

The Alcalde of the Second Election, Mr. St. Pé, it seems, pronounced a Decree on the 14th of last July, directing fifty hogsheads of sugar, shipped by Mr. Smith on board the Comet, to be re-landed, or made deliverable to Mr. Marryat.

That Judge, as well as his Coadjutor, the Alcalde of the First Election, Mr. Black, had never been accustomed to set any limits to his Judicial Power, and is stated to have been much surprized when a Decree of his was not considered as effective on board of the Comet. Mr. St. Pé in consequence laid the Decree before me, as far as I recollect, by the Spanish Escrivano, Mr. Garmendia. My answer was, that I did not possess any powers whatever on the subject, as the Com-

\* Mr. Marryat became one of the Sureties for B. G. Piton, on the Recognizance ordered by the Privy Council, at their Adjournment in December last, when B. G. Piton was directed to give Bail in twenty thousand pounds himself, and two Sureties, in ten thousand pounds each.

missioners

missioners had not received an appointment authorizing them to hold a Court of Admiralty, which would alone be competent to such decisions. I therefore directed that reference might be made to Mr. Nihel, Chief Justice of the Island, and Judge of the Consulado, who I understood to hold a Deputation from the Court of Admiralty. At the same time, I desired Mr. St. Pé to be informed how much I wondered at his attempting to involve me in sanctioning or enforcing a decree, totally irregular, and on a subject not within his *forum justitiæ*, nor mine.

That Alcalde, as well as his friend Mr. Handley, is a Member of the Cabildo. In the year 1797, I understand he signed a Declaration, retrospectively arraiguing the late Governor Chacon, among other things, for delivering the Island to the English, and reprobating Spanish Laws. Under these Laws he has since acted in a Judicial Capacity, and has never ceased to violate or mis-state them\*. At the same time, he has almost invariably used them to the utmost of his power to oppose every principle and practice of English Jurisprudence.

With respect to the Strictures by Mr. Marryat on Mr. Smith, I shall transmit a copy of them to that Gentleman, who is coming home, and I have no doubt will answer them as they deserve.

I am at a loss, my Lord, to conjecture what object can induce Mr. Marryat to obtrude the character of Mr. Handley on the Secretary of State.

He did, in fact, as I am informed, seek refuge or advantage, by establishing in Trinidad under the Spanish Cedula. He attempted to administer laws, as a Member of the Cabildo, which the Acts of that Municipal Body will prove, he either violated or did not understand. On this point I must farther observe, that immediately before his departure, in July last, the Officers of the Corps in which he was Lieutenant-Colonel applied to me for a Court-Martial on Mr. Handley. I resisted the application to the utmost of my power; because he was a declared adherent and active instrument in support of B. G. Picton's oppressive and outrageous acts; he was also a Member of the Cabildo, whose proceedings I had not hesitated to reprobate, as destructive to the interests of the Colony and disgraceful to the British Character and Government. Under these circumstances I conceived that my granting, without reluctance, a Court-Martial to inquire into his con-

\* Mr. Handley's unbecoming assertions respecting Mr. Smith, may be accounted for, by his having publicly chastised Mr. Handley for improper conduct and expressions. He was likewise posted in extraordinary terms, not fit for Colonel Fullarton to repeat here, by another Gentleman, who had been imprisoned by Governor Picton, at the instance of Mr. Handley, who, it is stated, endeavoured to procure a sentence to have this Gentleman's ears cut off, under the usual pretence that this punishment might be inflicted by the Spanish Law. After this recapitulation of Mr. Handley's merits, Colonel Fullarton begs leave to ask, if he was one of the "respectable inhabitants of Trinidad, who refused to retain any office, or act under Colonel Fullarton?"

duct,



duct, would have been imputed to motives which never did, and never can, actuate any part of my public conduct.

I have only farther to request, that your Lordship will be pleased to direct that Mr. Handley and Mr. Marryat may be ordered to appear at the Secretary of State's Office, in my presence, and that of Colonel Andrew Clarke and Major J. B. Smith, Field-officers of the Corps to which he acted as Lieutenant-Colonel. I shall then demand from Mr. Marryat and from Mr. Handley, an explanation of their assertion, that "most of the respectable Inhabitants refused to act under Colonel Fullarton, and resigned their public offices in the Colony on his taking the command of it."

It would be over-rating Mr. Handley's ignorance, to suppose him unacquainted with the fact, that no individuals in the Colony either refused to act, or resigned their offices, or were turned out of office by me, excepting Messrs. Black, Begorrat, Woodyear, and Gloster, as Members of Council, and in their other public situations; all of them having been charged with acts of criminality, directly violating the King's Authority; unless he means the Commandant of Icaque, superseded for conduct which I conceived to be highly unlawful and improper; and the acting Harbour-master, whom I removed, he having been appointed, during my absence, by the Junior Commissioners, when they superseded Major Jacobs.

I felt it to be my duty to replace that active and deserving Officer, whose employment had been conferred on another, although, by the King's Instructions, the Junior Commissioners had no authority to grant any appointment whatever.

With respect to the injurious and libellous assertions contained in Mr. Marryat's letter, I shall direct such proceedings against him as my Counsel shall advise.

I have the Honour to be, with great respect,

MY LORD,

Your faithful and obedient Servant,

(Signed) W. FULLARTON.

*Right Hon. Lord Hobart, &c. &c. &c.*

No. LXXIII.

## No. LXXIII.

*Proclamation by His Excellency Thomas Picton, against certain well-known seditious Characters, dated Feb. 5, 1802\*.*

By His Excellency Thomas Picton, Esq. Brigadier-General of His Majesty's Forces, Governor and Commander in Chief of the Island of Trinidad and its Dependencies, &c. &c. &c.

THE Commanders of Quarters, and Alcaldes of Barrios, are called upon to pay strict attention to the conduct of certain well-known seditious Characters; who, disappointed in their endeavours to impose upon the good sense of the British Inhabitants, are now employing every incendiary means to infuse a spirit of insubordination amongst the Negroes and People of Colour, by infamously representing the wholesome severity of the Law, exercised against fatal and pernicious crimes, which threatened the very existence of the Colony, as the emanations of a sanguinary, vindictive disposition, unnecessarily prodigal of human blood.

As no reflecting person can be ignorant of the wicked intentions of these nefarious Conspirators, His Excellency calls not only upon the Constituted Authorities, but upon every respectable individual who knows how to value the safety of his person and property, to use his utmost endeavours to bring them forward; and he pledges himself, that no obloquy or calumny, shall deter him from doing prompt and substantial justice.

Given at Government-House, Port of Spain, this 5th day of February, 1802.

THOMAS PICTON.

By His Excellency's Command,  
RICHARD COLLINS,  
Secretary.

\* This Proclamation is inserted, to prove from Governor Picton's own authority, the sanguinary character given of his Government by some part of the Colony, previous to Colonel Fullarton's arrival at Trinidad. It is well known that the Seditious Characters here alluded to, obtained this appellation simply from having signed a most Loyal Address, congratulating His Majesty on the Peace, and hoping that the Colony of Trinidad would soon enjoy the blessings of British Jurisprudence. The Address of these Gentlemen to the King is inserted, and will best answer for itself, how far it seemed calculated to draw down the wholesome severity of the Law, as exercised by Governor Picton. It is somewhat curious, that the same charge was afterwards levelled at Colonel Fullarton, which is here brought against these "well-known Seditious Characters," viz. "infusing a spirit of insubordination amongst the Negroes and People of Colour," who, fortunately, however, by no one act, justified this assertion, neither in the one case nor in the other.

## No. LXXIV.

*Copy of Colonel Fullarton's Dispatch to the Right Hon. Lord Hobart,  
sent by Sir James Bontein in the Ship Duke of Clarence.*

MY LORD,

*Port of Spain, June 25, 1808.*

THE circumstances in which I have been placed, at a distance from this town, and precluded from any official communication with the Commission or Council of this Island, have deprived me of the honour of addressing your Lordship since the departure of the ship *Limlair*, which sailed from Union Island on the 5th of April. Mr. Adderley took his passage on board of that vessel; he carried with him documents to convince your Lordship of the criminal acts imputed to B. G. Picton, and specified in my Minute of the 19th of March. Mr. Adderley is peculiarly qualified, by his talents, principles, and personal acquaintance with all the official proceedings in which I had any concern, to satisfy your Lordship of the gross mis-statements which were brought forward against me, and of the nefarious acts attempted to shield the conduct of B. G. Picton, and of those persons in the Council and in the Cabildo, who were implicated in some of the corrupt and cruel acts and violations of public justice imputed to him. On the 23d of May I addressed General Grinfield respecting the alarming accounts of public proceedings at Port of Spain, subsequent to my departure on the 1st of April.

On the 24th of May I stated very fully to Commodore Hood, unjustifiable acts which had occurred, and the misconduct of those who had betrayed him into measures and expressions unworthy of his character. Copies of these Letters are enclosed, together with the Copy of a Postscript of my Letter to the Commodore, dated the 10th of June. To these are added, Copy of a Proclamation issued by the other Commissioners, dated the 27th of April; also Copy of a Letter from B. G. Picton, dated 6th of June, on my return to the anchoring-ground at this Port, enclosing the Minutes of Council of the 3d of June, and the Proclamation of the 27th of April.

These Papers notify the resistance of B. G. Picton, and his determination to prevent me from landing. In consequence of which I remained at anchor from the 6th to the 14th of June; on that day Brigadier-General Maitland arrived from Barbadoes in the schooner *Nelly*. In the night B. G. Picton secretly embarked, and next day Brigadier-General Maitland took charge of the King's Troops on this Island. The enclosed Copies of my Letter to B. G. Picton, and the Proclamation, will shew your Lordship in what mode I acted upon  
receiving

receiving intimation that my landing was to be opposed. My Letter to Brigadier-General Maitland will explain the situation of the Civil and Military Power in this Island. These Papers, collectively, including my Letters to General Grinfield of the 23d of May, and to Commodore Hood of the 24th, contain detailed discussions on the Judicial and Military Circumstances of Trinidad, which will explain to your Lordship more particularly the Transactions of this Colony, than any communications that could have been addressed to your Lordship in the form of a Report, or in any mode whatever, during less perturbant times.

Although my absence during nearly three months, prevented me from having opportunities of addressing your Lordship, and from communicating the Proceedings of the Commission, yet I had the satisfaction of learning, that several of my friends and connexions here transmitted regular Statements to Mr. Sullivan, of such particulars as seemed requisite for your Lordship's information.

During my Survey of this Island, and my visit to the different places, specified in my Letter to General Grinfield, I prepared every material necessary for completing my Report, which shall be drawn out and transmitted, as soon as I learn the form in which, under the present state of this Colony, and all the circumstances of the case, it is your Lordship's pleasure that the Report should be presented.

Your Lordship's Orders of the 23d of April, which I received at Barbadoes, completely ascertain the Duties of the different Commissioners. But it seems to be established among the Officers and Soldiers, that if their Military Commandant directs them to resist and fire at the person placed at the head of the Civil Power, it is their duty to obey; insomuch, that every Soldier in Trinidad knows that ammunition was served out to the Troops, and orders issued to oppose my landing by force of arms. They further know, that my being afterwards permitted to come on shore, and to fulfil your Lordship's Instructions of the 23d of April, depended solely on the will and pleasure of the Military Commander, at whose mercy I must, of course, remain till farther orders.

In addition to my Letter addressed to Brigadier-General Maitland on this subject, I have the honour of transmitting Copies of two Letters from Colonel Hope, commanding the 37th Regiment, which will shew your Lordship his sentiments on this subject.

Previous to my landing here, I inspected the Harbour and Peninsula of Chaguaramas, the adjacent Grounds, and in particular the Island of Gaspar Grande. Captain Columbine, of His Majesty's Ship *Ulysses*, was so obliging as to accompany me: he is one of the ablest and most scientific Officers of the Navy, or of any profession whatever. His Drawings are equal to those of the most celebrated Artists, and the labour he has bestowed on the Plans and Survey of the Grounds and Harbour in question, as well as of the Coasts of this

Island, entitle him to the highest approbation. He has furnished me with an elegant Copy of his Views and Surveys, shewing the mode in which he recommends to distribute and protect Ships of War and Merchant Vessels, under the shelter of Gaspar Grande, in cases of emergency. I shall take a safe and early opportunity of transmitting these to your Lordship, along with a very able Paper on the subject, by Captain Columbine, accompanied by my own Observations and Report.

The Military have already occupied the Peninsula: they are employed in making Roads, establishing Posts, and preparing to erect Batteries, Works and Barracks, or other Buildings, as I have been informed, on a large, and I should suppose a very expensive scale. Of course, a considerable body of Troops will be requisite for the defence of those extensive positions. For my own part, instead of clearing the roads, and thereby facilitating the approaches of the enemy with guns to attack our Works upon the Heights, I should have conceived that more efficient defence would have been derived from rendering the access almost impracticable, by allowing the Peninsula to remain covered with woods, by throwing barriers across the paths, erecting abatis, planting prickly pear-fences, and by every other species of impediment which ingenuity and military skill suggest, to oppose the progress of an enemy. I am confident it will be a matter of absolute necessity to drain the swamp or flat-land, which separates the Carenage from the Harbour of Chaguaramas, and forms the Peninsula.

Without this precaution it will be impossible to render the Harbour healthy. It is asserted, that the Spanish squadron, when at anchor in this Harbour, had at one time more than 700 sick men on board or in the hospital. Fortunately, the Island of Gaspar Grande is extremely superior in point of salubrity; it affords very strong positions and means of defence, on a less extensive scale than the Peninsula, and contains above 300 acres of land, all of which might be employed in supplying the Squadron and the Hospital with vegetables, and other comforts necessary to their preservation in this climate. I would humbly suggest to your Lordship, the advantages which would be derived from establishing Gaspar Grande as a Naval Post, under the direction of the Naval Officer commanding in the Gulf of Paria, and not subject to the interference of Civil or Military, which would hardly accord with naval practice. This would not by any means interfere with the Military Establishment now forming on the Peninsula; on the contrary, the one would afford support to the other. As different works for the defence of the Island, and for the accommodation of the Officers and Men when on shore, as well as the buildings for Stores, Arsenals, and Hospitals, would be required, accurate plans and estimates must of course be transmitted for your Lordship's information.

formation. These, and other matters connected with the business, will form the object of my Report, and at this moment I should not have troubled your Lordship with any Statement respecting these particulars, if the Declaration of Hostilities did not render it an act of indispensable duty in me, to express what appears urgent and essential to be considered, before an expensive fortifying system be adopted.

The defence of this Gulf, and the superintendence of such arrangements as may be judged necessary for the Naval Service at Gaspar Grande and Chaguaramas, will require an Officer of great knowledge, conduct, and ability. I can venture to assure your Lordship, that Captain Columbine is eminently qualified for such a charge: under his direction, every preparation and exertion will be made, with strict attention to restrain the Public Expenditure.

The ship which he commands is by no means adequate to the importance of the station, being only fitted *en flute*, without the war complement of men. I hope and trust your Lordship will take the services he has already performed on this Station, and his merits, into consideration.

Your Lordship's Circular Letter of the 16th of May, reached me on the 20th of June: the enclosed Proclamation was issued without delay. Every arrangement is making; as far as in our power, to prepare for hostilities; but the Island is at present destitute of means for efficient defence. I enclose copy of a Paper from Brigadier-General Maitland, proposing that, in case of attack, I should resign the Command of the Militia to the Commander of the King's Troops. Your Lordship will be pleased to signify in what manner I am to act in that event.

By next conveyance I shall have the honour of addressing your Lordship in detail on the defensive arrangements. In the mean time, we are without any fortified positions, without any Naval Force, except an Armed Brig in the Gulf, and with a very inadequate number of Troops. But we are well assured of your Lordship's protection and attention to the safety and welfare of this Island.

On the 17th of June I landed, and was received in the most flattering manner. The Members of Council were summoned to attend on the 20th; but Messrs. Black, Begorrat, Langton and Gloster, transmitted a refusal, of which a copy is enclosed.

Mr. Woodyear had previously declined to act as Secretary, as will appear by his Letter; but my answer, which is likewise enclosed, will shew your Lordship that I refused accepting his resignation as Public Secretary, till your Lordship's pleasure should be known. A new Council was formed, consisting of Sir James Bontein, James Rigby, Esq., Colonel Rutherford, John Smith, Esq. Andrew Wilson, Esq. and the Chief Justice, John Nihel, Esq. who, your Lordship knows, was a Member.

Member of the former Council, and had concurred with them, through fear of B. G. Picton, in several illegal acts, particularly in the Proclamation of the 27th of April; but, observing the Commission and Council proceed from one act of violence to another during my absence, he formally protested against the measures of the 6th of June, and the Minute of the 3d of June, which resisted the King's Commands transmitted by your Lordship on the 23d of April.

The Minutes of the new Council cannot possibly be prepared to go by this Dispatch, as the Captain is so anxious for departure, that I can hardly prevail on him to remain till this Letter be concluded.

I trust this will plead my apology for the hurried manner in which it is written. I have the satisfaction to assure your Lordship, that the New Council are proceeding in a mode which cannot fail to gain the confidence of the Inhabitants, by affording a strong contrast to the violence and illegality which marked the transactions of their Predecessors.

Messrs. Black and Begorrat conceived themselves to be personally involved in the judicial imputations against B. G. Picton. Mr. Wood-year having perjured himself on the Records of the Council, to support B. G. Picton's interests and his own, felt it impossible for him to act with me, or with any new Members of Council, who might have means to detect and expose his fallacies. Mr. Langton was involved with B. G. Picton by ties of friendship and various transactions: while Mr. Gloster, whose opinions, it is understood, swayed the conduct of Commodore Hood, had prepared and advised the acts of resistance to the King's Authority. He is not only attached to B. G. Picton by long habits of intimacy, but it is asserted by well-informed persons, that he wrote Defences of the General's Conduct, when it was attacked in some of the West Indian Prints, at different periods. He is farther understood to have counted on an arrangement under B. G. Picton, by which he would have been entrusted with the management of all Estates in this Island belonging to Minors, Litigants and Bankrupts. From these, or from other motives, he seems to have embraced the Defence of the Brigadier-General with a zeal and energy worthy of a better cause. At the same time, he has been betrayed into an act of illegality and violence incompatible with the duties of a Counsellor or of an Attorney-General. With the unanimous approbation of the New Council, to whom I have submitted the particulars, I have been under the painful necessity of superseding Mr. Gloster from his duties as a Crown Lawyer, until your Lordship's pleasure shall be communicated on the subject.

It is so much my wish to bury in oblivion all animosities connected with the conduct of B. G. Picton, as far as relates to his Supporters and Adherents, that Mr. Gloster would of course have remained in quiet possession of his Office, until your Lordship had pronounced upon

upon his conduct ; but his open resistance to the civil power ; his adhering to the Proclamations and Proceedings of Council of the 27th of April and of the 3d and 6th of June, together with his exertions to excite disturbance among every Class and Colour in this Colony, and his refusal to attend in Council, or to perform his Public Duties, appear incompatible with the conduct and character of Attorney-General.

The Proceedings of the Alcaldes, Messrs. Black and St. Pé, continue to insult the King's Authority, and to endanger the police and safety of the Town and Colony, insomuch, that they still resist the Deputy Alguazil Mayor, Mr. Montez, who was appointed by Mr. Adderley ; thus endeavouring to produce disturbance and confusion, by depriving the Community of the ordinary means of regulation and protection.

These Alcaldes, and the Cabildo, with the same views, as I presume, opposed the Chevalier de la Sauvagere as Intendant of Police, although he was named to that Office by Sir Ralph Abercromby, and confirmed by B. G. Picton. It is my duty, however, to support him and Mr. Adderley's Deputy in the discharge of their respective charges, so essential to the safety of the Town. If these Alcaldes, and any other Members of the Cabildo, such as Mr. Begorrat, should persist in outraging the King's Authority, I shall submit their conduct to the Council, and adopt such measures, by suspension or otherwise, as shall appear necessary for the public safety.

It is understood that Captain Mann, of the Royal Artillery, who commands the Sea Fort, gave orders to the Artillerymen in that Fort, on the 6th of June, to prepare the guns, and to be ready to resist and fire upon me, in the event of receiving Orders to that effect. It appears to several persons essential, that he should be tried by a Court-Martial, in order to ascertain whether Officers may with impunity issue and execute such Orders.

Being unwilling, however, to adopt any measure which might tend to prolong animosities, I have hitherto abstained from taking any steps on this subject.

Your Lordship may be assured that I shall continue to refrain from every act of rigour, in every instance where lenity and conciliation can be adopted ; but in cases of open resistance, or of acts tending to immediate disturbance, and overthrow of public safety and authority, I will not hesitate to take upon myself any unavoidable responsibility that the urgency of the occasion may require. Among the many uncomfortable circumstances which have occurred to me, it affords me great satisfaction that the present Council seem ready to concur in promoting every measure directed by your Lordship, or connected with the improvement of the Island. Colonel Rutherford is far advanced in the operations necessary to carry into effect your intentions for clearing the



the Caroné, and forming a junction between that river and the Orpuche. Many other objects of public utility are already investigated, and ready to be stated in the Report.

In the mean while, I shall only mention, that my endeavours to promote the efficient collection of the Three and a Half per cent. Duty, were all along seconded by the exertions of Mr. Collin, the Treasurer; but various secret obstacles were constantly opposed, and it seems intentionally to have been suffered to diminish in its amount. Fortunately, however, the present Council join with me in giving full effect to the Orders of Government on that subject. We have passed a Resolution in Council, obliging all Masters of Vessels to produce their Manifests and Invoices to the Treasurer, and an Inspector is to be appointed to visit all American, and other ships, and to enforce a *bona fide* collection of the Duties. As many of the Merchants express disapprobation of the Tax, I have told them, that any Statements they may think proper to present, will be submitted to your Lordship; but that the Three and a Half per cent. appears, if equally and fairly collected, to have many advantages over any other likely to be substituted in its place.

Before I conclude, allow me to trespass on your Lordship's patience with some observations on the Minutes of Council which have passed since the 24th March, the last day on which I attended the Council. All public dispatches, except those which I personally obtained at Barbadoes, and all documents of the Commission and Council, except Proclamations and proceedings of public notoriety, have been carefully with-held from me. Indirect informations respecting many circumstances, were communicated to me by my friends, during my absence, and enabled me to state the extraordinary incidents which occurred since that period, and which form a part of my Correspondence with General Grinfield and Commodore Hood.

On Saturday last, for the first time since my return, I had a meeting with the Cabildo, on the subject of re-instating Mr. De Castro in his office of Regidor, and Mr. Montez as Deputy Alguazil Mayor, appointed by Mr. Adderley. An Act of the Cabildo was then reluctantly produced, on my application for all Papers respecting Mr. De Castro since my departure: this Document contained the grossest misrepresentation of my conduct on the 28th March, when I waited on Mr. Black, to inquire respecting the confinement of Mr. De Castro.

The declarations of Mr. Black and Mr. St. Pé are refuted by the Affidavits of Mr. Adderley, Mr. Burke, Mr. Hill, Mr. Mackenzie, and Mr. Vint, who were present. But as this accusation has not only been concealed from me, but transmitted to your Lordship, it could hardly fail to produce impressions on your mind, if it remained unanswered. The object of the mis-statement seems to be with the view

view of exhibiting me as a character no less ill regulated and ungovernable than my opponent.

The conduct of Mr. Black and Mr. St. Pé, in uttering so perverted a declaration, will be exposed to your Lordship's reprehension by the testimony of Mr. Adderley; but the proceedings of a Public Body, like the Cabildo, in transmitting false accusations of a person in an official situation, from whom they concealed all knowledge for three months that such a Document existed, will sufficiently explain to your Lordship the judicial principles on which the Members of that Corporation act.

The knowledge of this fact, led me to investigate the proceedings entered on the Minutes of Council since my departure, which I had no opportunity of consulting till yesterday. The mass of insolent and unvarnished falsehoods which appear on those Records, is so voluminous, that it is impossible for me to answer, or even to recapitulate them, by this Dispatch. Mr. Adderley was present, and is intimately acquainted with all the transactions in which I had any concern in this Island: he will tell your Lordship, that the declaration of Mr. Woodyear, is fiction from the beginning to the end.

The invective of B. G. Picton describes his own character, and has no more resemblance to my modes of acting, or of expressing myself, than Mr. Gloster's assertion, that my object is to reduce this Colony to the situation of St. Domingo. The concealment of these fallacies, has, of course, subjected me to the operation of such a combination for a time. Your Lordship shall receive a detailed exposition of every false assertion; and Commodore Hood will lament that ever he allowed his character to be degraded by the machinations of B. G. Picton, and some of his coadjutors. In the meanwhile, as the ship which is to carry this Letter cannot be any longer detained, I must entreat that your Lordship will be assured, that if I thought myself capable of one of the base sentiments, or evil acts, imputed to me by B. G. Picton, Mr. Woodyear, and Mr. Gloster, I should hold myself unworthy of any situation in civilized society.

It is impossible for me to express the sorrow which I felt, on learning the melancholy intimation which awaited Mr. Adderley on his arrival.

I sincerely hope and trust that he has borne this severe misfortune without injury to his health. I venture to assure your Lordship, that whatever arrangements you may form for the Government of Trinidad, it will be of great utility to the Public Service, and a matter of much satisfaction to those who are interested in giving effect to your Lordship's Instructions, if you send out Mr. Adderley in an efficient and confidential employment. Unless you appoint men of his description, on whom you may place unqualified reliance, both as to principles and intentions, as well as to vigour and ability, there will

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be a constant attempt to defeat your Lordship's expectations, by machination and counteraction, on the part of the few, but desperate adherents of B. G. Picton, and his lawless system of abuse and violence.

This Letter will be delivered by Sir James Bontein, a man of excellent abilities, conciliatory manners, and very general acquaintance with the affairs of the West Indies and of this Island. He was employed in public situations in Martinique, while under the English Government; and on my late visit at St. Pierre's, it gave me a high estimation for Sir James Bontein, to observe the warm terms of gratitude and regard which many of the French expressed for the conduct which he held, and the kindness he had conferred on them while officially employed. He was in habits of intimate acquaintance with B. G. Picton, favourably inclined to Commodore Hood, and connected with Mr. Nihel: so that your Lordship will receive from him a moderate and unbiassed statement.

I shall be happy to learn that he has been enabled to explain to your Lordship's satisfaction, the various misrepresentations which have so recently come to my knowledge, and to every one of which I shall give a specific refutation. If any employment occurs, to induce Sir James to return speedily to this Colony under your Lordship's patronage, it will afford great pleasure to me, and those who wish to see wise and salutary regulations conducted with moderation and ability.

I have the Honour to be, with great respect, and with many apologies for this hasty production,

MY LORD,

Your Lordship's most faithful and obedient Servant,

W. FULLARTON.

*Right Hon. Lord Hobart, &c. &c. &c.*

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No. LXXV.

*Statement by Mr. Woodyear, entered on the Minutes:*

GOVERNOR PICTON having presented a Statement from Mr. Woodyear, desired the Clerk of the Council to read the same, it being moved and seconded, that the same be received and entered on the Minutes of this Board; a copy of which is annexed, marked B\*.

\* It is to be observed that this Statement, as it is called, was brought forward by Col. Picton and entered on the Minutes, as preparatory to his Address to the Council, and appears to have been framed for the occasion.

B. Staté-

### B. Statement of Facts.

In consequence of a variety of occurrences, since the Commission for the Government of this Colony has been opened, I think it a duty I owe to General Picton and myself to state, to the best of my judgment, every particular circumstance which I conceived to have led to, and accompanied them.

Before I say a word of what has happened since the arrival of Colonel Fullarton, I think it right to remark, that I observed, with much concern, *the existence in his mind of the most rooted prejudice against the character of General Picton, during our passage from England in the Ulysses*: I did not collect the fact from any confidential communication, but from whispers and insinuations; and I discovered that there was a great misconception amongst my fellow travellers, of the actual and relative situation of the Colonel and his Colleagues. He was considered to be, *de facto*, the Governor of Trinidad, and the two Gentlemen joined with him, were regarded as *mere cyphers* \*. From the nature of my situation, being independent of any one Commissioner, and feeling myself incapable of unworthily tending my (*sub silentio*) sanction to an error, I openly avowed the truth, and described the First Commissioner in the real character in which I construed it to be the intention of His Majesty to consider him. *This*, together with the indisposition I shewed of entering into the calumnious cabal against General Picton's reputation, obtained for me the determined enmity of the First Commissioner. Thus biassed, the sequel of his conduct is not to me a matter of much astonishment.

I come now to the arrival of Colonel Fullarton in this Island, on the 3d of January last; on which day he was sworn in as First Commissioner. From that period, he has betrayed a total absence of confidence in General Picton, by uniformly acting, in all matters of a public nature, without communicating with him, although he has been constantly full of professions, expressive of the high sense he entertained of his character.—He has been passing the most fulsome encomiums on the General (who nobly rejected them), avowing approbation of his conduct during his administration in this Colony; whilst, by his actions and intriguing conduct, he was doing away the effects of former firm and salutary measures, by counteracting them in every possible way which chicane, and a specious philanthropy, could devise.

In short, the professions and conduct of Colonel Fullarton have been in eternal warfare with each other: a very early instance of this I can adduce.

A few days after our arrival in this Island, Colonel Fullarton was of opinion, that it would be proper to continue in force all the existing Laws and Usages of the Colony until farther notice; in which senti-

\* This fabrication was contrived for the purpose of producing jealousy and alienation on the mind of Commodore Hood, who, unfortunately, was not impervious to such artifices.

ment General Picton acquiesced: I was directed to consult with Mr. Gloster, the Attorney-General, upon the proper form of Proclamation to be issued for the above purpose. This having been prepared, I submitted the rough draft of it to the two Commissioners for their approbation. I then drew out a fair copy of the Instrument, which, having received their Excellencies' signatures in Council, it became in course my duty, as Secretary, to give it publicity without loss of time. It was, therefore, immediately given to the Printer to prepare a sufficient number of Copies to be distributed, and to cause it to be inserted in the Gazette. From having been formerly in an official situation, I directed, as a matter of course, that the proof-sheet should be brought to me, before any others were struck off. In the interim, Colonel Fullarton had given the same directions to the Printer through his *Private Secretary*, Mr. Burke, without intimating it to me. The next morning early, a copy of the Proclamation was brought to me: having examined and approved of it, and being ignorant that any private instructions had been given to the Printer, I told the bearer of it, "that it was correct, but that, as his master had made a written query at the bottom of the sheet, of how many copies are to be made of it, he should tell him not to proceed till further notice." The Printer, however, did not attend to this, but immediately made public many copies in different parts of the Town. I shortly after was informed by Colonel Fullarton, in the presence of the Attorney-General, that he had changed his opinion on the subject of publishing his Proclamation, alledging for reason, that Commodore Hood's signature *should* be to it, and that he should send it to Barbadoes for that purpose; but it since appears, that no communication was ever made to the Commodore upon this subject. He then added, that *he* had given orders that all the Copies should be torn down. This was done without communicating his intentions to General Picton.

Notwithstanding this proof of a want of candour on the part of the First Commissioner, General Picton continued to shew every disposition to co-operate with him for the Public Service: at length, by repeated and aggravated neglect of *him*, in capacity of one of His Majesty's Representatives, the General was under the disagreeable necessity of remonstrating in strong terms upon the assumption by Colonel Fullarton, of the whole of the Executive Power in the Colony, without consulting with him as a Colleague. Here followed an explanation, and an assurance by Colonel Fullarton, of his intention of observing a different line of conduct in future: with this the General was satisfied; but very soon it appeared that all was but profession, for almost every succeeding day evinced fresh instances of similar misconduct. The laws were made subservient to the will of the First Commissioner; the authority of the Magistrates was brought into contempt, and the Police of the Colony necessarily weakened. A sad reverse! which

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was seen by every good subject with a mixture of honest indignation, and an apprehension of the destructive consequences it might produce in a Colony, consisting of such a mixed population as this is\*.

(Signed) JOSEPH M. WOODYEAR.

Trinidad, Port of Spain, March 31, 1803.

# No. LXXVI.

*Letter from Hector Mackenzie, Esq. Secretary to the Surveyor General's Department, as to Mr. Woodyear's Statement of Facts.*

SIR,

Port of Spain, July 19, 1803.

I HAD the honour of receiving this day your Excellency's Letter by Mr. Hill, requesting to know, whether, when on board the Ulysses, in the passage from Portsmouth to Trinidad, I ever heard you, or any one connected with you, utter a word that tended directly or indirectly to reflect on the character or conduct of General Picton; or whether, by any act or expression of yours, there was the slightest occasion for the extraordinary assertions contained in Mr. Woodyear's Statement entered on the Minutes of Council March 31st, which you did me the honour to submit to my consideration.

In answer to your Excellency, I can only say, that from the time of my embarking in the Ulysses, at Portsmouth, until our arrival at Trinidad, I do declare that I do not recollect having ever heard you, or any of your family, mention the name of General Picton.

\* The fallacies contained in this gross mis-statement, are fully contradicted, retracted, and apologized for, by Mr. Woodyear himself, as appears from his Examination before the Trinidad Council, July 13, 1803. Colonel Fullarton has repeatedly applied to the Colonial Department and to the Privy Council, for Copies of these Documents, which shall be inserted as soon as he receives them. In the meanwhile it is necessary to mention, that Mr. Woodyear had the temerity to circulate a report respecting Mr. Addington having permitted him to purchase his Office of Secretary to the Commission. Conceiving this to be a calumny of a serious nature, Colonel Fullarton pressed him hard upon the subject in Council, and detected his having attempted to convey an impression that this fabrication had originated with Colonel Fullarton. He referred to Mr. Begorrat as his informer: Colonel Fullarton summoned Mr. Begorrat before the Council, to answer to the facts alledged: he pretended to be indisposed in the country, but transmitted a Letter, disavowing any personal knowledge of the particulars in question.—Colonel Fullarton was determined not to leave a single fallacy undetected on record, but his departure two days afterwards rendered it impossible for him to proceed farther in the investigation. It is taken for granted, that Mr. Woodyear had made this the subject of a Communication to the Chancellor of Exchequer, as he formally announced to Mr. Adderley, for Colonel Fullarton's information, that he corresponded with Mr. Addington, and transmitted to him Accounts of Colonel Fullarton's conduct, with his own remarks. It is not probable, however, that he has furnished any of His Majesty's Ministers with his Recantation on these subjects, entered on the Minutes of Council.

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On the contrary, every thing that related to the Commission seemed to be carefully avoided in all your conversation. And I must further declare, that during that passage, every thing I saw or heard of your Excellency, or family, was such as to excite in my breast sentiments of respect and admiration, that I trust will never be effaced, which, if I know my own heart, would not be the case, had Mr. Woodyear's Statement been a "statement of facts."

I have the Honour to be,

Your Excellency's most obedient Servant,

HECTOR MACKENZIE.

*To His Excellency Colonel Fullarton, Esq. Esq. Esq.*

No. LXXVII.

*The Declaration of Brigade-Major Lewis, July 11, 1803, respecting Mr. Woodyear's Statement of Facts\*.*

BRIGADE-MAJOR LEWIS was desired to attend the Council; and Colonel Fullarton put to him the following questions :

Did not you sail in company with me and other persons attached to the Commission, on board His Majesty's ship Ulysses, from Portsmouth to Trinidad ?

*Answer.*—Yes.

In the course of the voyage, or at any period, did you ever hear me, or any person connected with me, express a single word, directly or indirectly, indicating any thing disrespectful to the character of B. G. Picton ; or any whispers, insinuations, or other mode of communication whatever, shewing the existence in my mind of any indisposition towards, or prejudice against, B. G. Picton ?

*Answer.*—No ; I never did.

Sworn to before the Council, this 11th July, 1803, in my presence,

GEO. UNWIN,

Deputy Clerk of the Council.

\* Mr. Lewis was intimately connected with B. G. Picton, and lived at his house in Port of Spain.

No. LXXVIII.

## No. LXXVIII.

*Letter from W. King, Esq. First Lieutenant of His Majesty's Ship Ulysses, respecting Mr. Woodyear \*.*

SIR,

Port of Spain, July 14, 1803.

I HAD the Honour to receive your Letter this day, relative to Mr. Woodyear's Statement of Facts of the 31st of March, entered in the Minutes of Council of this Island, which I have carefully perused, and not with a little astonishment. In answer to which I have to say, relative to the calumnious cabal stated to have existed on board His Majesty's ship Ulysses, on her passage from England, against General Picton, or any other person connected with you in the Government of this Colony, that I declare, I never heard an expression, (that I can remember), either from you or any person at all connected with you, on the subject, directly or indirectly. And it is my opinion, had any such cabal existed on board, I certainly must have had some knowledge of it, either from some circumstance or another.

I have the Honour to be,

Your Excellency's most obedient Servant,

WILLIAM KING.

*To His Excellency Colonel Fullarton,  
His Majesty's First Commissioner.*

## No. LXXIX.

*Letter from Colonel Rutherford, Surveyor General, respecting Mr. Woodyear's Statement.*

SIR,

Port of Spain, July 19, 1803.

I have just had the Honour of receiving your Letter of this day's date. In answer to which I beg leave to observe, that I cannot recall to my recollection, that ever the name of General Picton was mentioned with disrespect on board of the Ulysses, or elsewhere; on the contrary, it appeared to be a subject which you cautiously avoided. Nor do I know any part of your conduct, or that of your family, that does not reflect honour upon both.

I have the Honour to be,

Your Excellency's most obedient humble Servant,

JOHN RUTHERFORD.

\* The absence of Captain Colombine from Port of Spain, at the time of Colonel Fullarton's embarkation for Europe, prevented his obtaining a similar Declaration from that honourable and excellent Officer.

No. LXXX.



No. LXXX.

*Letter from Major Williamson, Commissary of Population.*

SIR,

London, May 12, 1804.

I HAVE to acknowledge the honour of your letter of this morning, enclosing a copy of Mr. Woodyear's Statement entered on the Minutes of Council at Trinidad, in March 1803, the contents of which astonish me. I had the honour to sail with you in the Ulysses from from St. Helens to Trinidad, and most solemnly declare, that during the whole passage, or on shore at the different Islands we touched at, I never heard you utter, *whisper* or *insinuate*, one word disrespectful or derogatory to the character of General Picton; nor did I perceive that any prejudice against the General existed, either in your mind, or in the minds of those connected with you.

I further declare, that I never knew or heard of the existence of any *calumnious cabal* against General Picton, on board the Ulysses, and that the whole is a fiction; and the mere creation of Mr. Woodyear's fancy. I beg leave to add, that in conversations with Mr. Woodyear, we have frequently expressed to each other our surprize at your constantly avoiding all communication respecting the new Commission or the former Government of Trinidad.

I have the Honour to be, with the highest respect,

SIR,

Your most obedient humble Servant,

THOMAS WILLIAMSON.

Colonel Fullarton, &amp;c. &amp;c. &amp;c.

No. LXXXI.

*Letter from J. F. Burke, Esq. Assistant Secretary to the Commission of Government.*

SIR,

London, May 13, 1804.

I HAVE the honour to acknowledge the receipt of your Note of yesterday's date, enclosing a copy of Mr. Woodyear's Statement, entered on the Trinidad Minutes of Council in March 1803. In answer, I beg leave to state, that I have, with as much care as astonishment, perused it, and I deem it to be not a statement of facts, but a mass of falsehood: I have moreover to assert, which I do in the most solemn

lemn way, that during the passage, I never heard one syllable fall from your lips, or from any other person connected with you, at all affecting, directly or otherwise, General Picton's conduct. Mr. Wood-year alone dares to couple your name with whispers and insinuations. I likewise declare, that any conversation relative to the Commission, was as little entered upon by the passengers on board the Ulysses, as it seemed to be cautiously avoided by you.

I have the Honour to be,

SIR,

Your obedient humble Servant,

J. F. BURKE.

Colonel Fullarton, &c. &c. &c.

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No. LXXXII.

*Copy of Brigadier-General Picton's Address to the Council, entered on the Minutes of Council on Thursday, the 14th day of April, 1803.*

GENTLEMEN,

WHEN this Island capitulated to His Majesty's Arms, the Government of it was no object of intrigue: there was no Officer who applied for it; no one shewed a disposition to accept of it, and I was no Volunteer\*.

The great and celebrated Officer† who put so glorious a period to a life of entire devotion to his Country, and of true and unmixed patriotism, on the plains of Alexandria, thought he saw in me the zeal activity and talents necessary for a command generally regarded as a forlorn hope. I was not consulted; it was imposed on me as a matter

\* *Note by Colonel Fullarton.*—The Government of Trinidad, though not accepted by the Honourable Colonel Hope, for whom Sir R. Abercromby was supposed to have intended it, was a most desirable object for Major Picton, and as such obtained for him by Brigadier-General Frederick Maitland, his particular friend, who occupied a confidential situation with Sir R. Abercromby, to whom it was used as a strong argument in favour of Major Picton, that he could speak the Spanish language, an advantage many Officers superior to him in other respects, did not possess.

† This great and meritorious Officer, was no less celebrated for his humanity than for his bravery: had he perceived in Major Picton, the cruel, and oppressive disposition which afterwards marked his Government, the command of Trinidad, stated by him to have been a forlorn hope, would never have been conferred upon him: notwithstanding he assumes as a fact, that Sir R. Abercromby saw in him zeal, alacrity, and talents, fitted for so arduous an undertaking, which he states, was imposed upon him, as a matter of duty. Had those orders to which he required implicit obedience, breathed the same benevolent spirit which the regulations of his excellent Commander evinced, Colonel Picton might, indeed, now boast of having enforced them with all his power and ability.

of duty, and as a Soldier I obeyed, without canvassing the orders of my Superior: I paid the same implicit obedience to his orders, that I have ever exacted to my own.

I was left with a weak, ill-composed Garrison, scarcely amounting to 700 men capable of taking the field, and the majority even of those were Germans and Blacks: the Island contained above 2000 Men of Colour, all irreconcilable enemies to His Majesty's Government, and Refugees from the different insurged Islands, where they had borne arms. To these may be added, about 1000 Foreigners of all nations, nearly in the same predicament. I had no fortified post; no point of strength to retire to. I was left in a wide, open Town, surrounded by enemies, to my own energy and resources. The Germans of Hompesch's Regiment (the principal part of my effective Forces), deserted in bands, carrying off their arms and ammunition, in search of an enemy; and atrocities, of a nature to unite every one against us, were at the same time committed upon the Inhabitants by a Garrison more formidable to its friends than enemies\*.

The means necessary to repress and correct these disorders, were applied with promptness and vigour; and the timely sacrifice of a few individuals taken *flagrante delicto*, preserved the lives and properties of thousands†. Those who know any thing of Military History and the usages of War, will not be at a loss for a thousand instances, where prompt immediate examples were applied to remedy what the slow operation of the Law could never have effected: I was left as in a Camp surrounded with enemies, and the severities I applied were fully authorized by my situation and circumstances.

My Garrison in a short time was reduced by death and desertion to 498 men capable of bearing arms, and of them, only 200 were British Soldiers; and every means, as will appear by the Governor-General of Carraca's Proclamation, were employed to seduce and corrupt them; small vessels were hired by the Spanish Government to carry them off, and to the number of twenty had deserted in one night. A plan was formed by the Governor of Cumana, to attack us with our own Forces, and the Brigands from all the different Islands were collecting on the opposite Coast of the Gulf; to correspond with their numerous friends in the Island, and to co operate with the Deserters, who had formed into a regular Corps. We drew near to a critical mo-

\* Note by Colonel Fullarton.—In this account of his Garrison, Colonel Piñon affects to use the language of Sir R. Abercromby in Ireland—"A force more formidable to its friends than its enemies;" but did that respectable Officer conceive himself entitled, from this opinion, to hang, burn, and destroy, in defiance of every legal form, and by his own authority alone?

† It requires to be explained, what influence could be produced in repressing the desertion of German Soldiers, and enforcing discipline by torturing helpless women and children, or by mutilating, hanging, and burning alive, wretches under suspicion of witchcraft.

ment:

ment: the delay of a few days might have been fatal to us. I have learned that the Mulatto General, Belgard, had arrived at Guiria, to put himself at their head. Weak and wretched as the Garrison was, I determined immediately to disperse them, and for that purpose embarked a detachment of an hundred men, under an intelligent, active Officer, who, finding them dispersed, easily succeeded in clearing the whole Country. I was convinced, that our safety depended upon our being able to keep the Enemy in continual alarm; I therefore successively attacked them at Guiria, Point-a-Pierre, Larupana, Rio Caribe on the River Guarapiche, and on the River Oronoque, and kept the neighbouring Powers in such general alarm, that the Government had no time to think of any offensive operations against us \*.

After six years continued struggle, with circumstances highly unfavourable, I had the satisfaction to deliver up the Colony, on the 4th of January 1803, to the Commissioner appointed by His Majesty for its future government, enjoying a high degree of prosperity, tranquillity and splendour; increased in population, riches and agriculture, beyond what could be reasonably expected from the circumstances of the times†.

The Dispatches of Sir Ralph Abercromby, and those of all the General Officers who have commanded in chief in this Country during the War, will enable His Majesty's Ministers to determine whether I have deserved well of my Country or not.

The First Commissioner, Colonel Fullarton, was received by me on the 4th of January, with that high respect I always pay to His Majesty's Commission; and, having no object in view but the promoting

\* *Note by Colonel Fullarton.*—The Governor-General of Carraca's Proclamation is well known to have originated from Colonel Picton's attempts to corrupt the inhabitants on the Main, whom he afterwards deserted, and left to the mercy of their offended Government, who put to death a number of them, and offered a reward for the head of Colonel Picton. He got possession of one of these advertisements, and is stated to have reprinted and circulated a number, with the view of adding to his military fame; and in the Address of his Partisans, upon voting him a Sword, this is brought forward in the following words:—"You obtained from your enemies the greatest eulogium that can be bestowed on a Military Chief—a Proclamation setting a price upon your head, for they were well convinced that while you lived and governed Trinidad, but faint hopes could be entertained of its being recovered by the Combined Enemies of Great Britain." It is, however, worthy of observation, that no attack was made upon the Island during the command of Colonel Picton, who is denominated its Saviour.

† After six years struggle with unheard of difficulties, such as Colonel Picton describes, if the Colony was in a state of such prosperity, tranquillity, and splendour, when the Commission was appointed, it surely must be matter of regret, that any change should have taken place as to the person who had been so efficient an instrument in producing these beneficial effects.

One Commander-in-Chief is generally understood to have conveyed orders to Colonel Picton, after the execution of the artillery soldier, Hugh Gallagher, without any form of trial—that no sentence of death was to be carried into effect, without being revised by the Commander-in-Chief.

His Majesty's Service, and giving the First Commissioner credit for the same motives, I trusted there could be little danger of our not co-operating zealously to forward the views of Government. I have no guile or deceit in my own heart, and I am not prone to suspect the existence of such qualities in that of another.

The First Commissioner began by overwhelming me with flattery, admiration, and repeated assurances of a fixed determination to pursue the same measures, which he was pleased to say, had so completely succeeded under me. I was disposed to give him full credit for sincerity, and was prepared to co-operate with every degree of candour and cordiality: I was not ambitious of governing, and continued merely in compliance with His Majesty's Commands. All I wished was, to see affairs conducted with prudence and wisdom, so as to ensure the peace and tranquillity of the Country; and I had begun to indulge in an agreeable dream, but the delusion was of short duration. I was without suspicion, and little aware of the false character I had to deal with.—He came with hostile intentions, which he could not long conceal with all his cunning and duplicity: he began by assembling round him all that was despicable and disreputable in the Colony; every lost character of bankrupt, fortune and reputation, whose crimes and dishonesty had called down upon him the animadversion of public justice during my Government, was solicited by the First Commissioner as his Adviser, to the exclusion of every respectable, honourable Character who had laboured with me during six years of critical danger, to preserve the Colony, and support His Majesty's Government.

Notorious characters, French People of Colour, who had left the Island from a hostile disposition, to His Majesty's Government, were invited to return without my knowledge. Every low means of calumniating my character and conduct, were employed and encouraged by the First Commissioner. The Magistrates and Commandants of Quarters were vexatiously and illegally interfered with; the Police was entirely overturned, and the Colony brought to the very brink of ruin; all distinction had been confounded, and the People of Colour, who from interest and experience were attached to His Majesty's Government, became suddenly exalted by his indecent conduct.

You cannot be ignorant, Gentlemen, that a dark mulatto was placed, by the First Commissioner, to sit alongside of a Brigadier-General in His Majesty's Service, the Baron de Montalembert\*, and the knowledge of so extraordinary a phenomenon calculated to exalt the fervid imaginations of this numerous and restless class, propagated itself with electrical rapidity throughout the Island.

\* *Note by Colonel Fullarton.*—In refutation of this assertion, it is only necessary to read the annexed Copy of a Letter on the subject, from Baron de Montalembert.

You

You know, Gentlemen, I did my duty ; I expostulated, remonstrated, opposed, but to no purpose. It pleased the Lord at length to terminate the misery and alarm of the Colony by the arrival of the Third Commissioner, Commodore Hood, whose honourable, wise, and decided conduct entitles him to our gratitude and admiration.

Having no hopes left, no prospect of being able to carry on his machinations and projects, the First Commissioner became furious from disappointed avarice and ambition ; and vomiting forth that scandalous libel which has drawn upon him the indignation of every honest respectable Inhabitant of the Colony, he has made an ostentatious enumeration of what he calls acts of tyranny, cruelty and oppression, which were actually no more than the usual and customary animadversions of the Laws upon irregular and criminal actions, moderately applied by the legitimate Magistrates for the support of order, regularity and government. He has descended into his own heart for motives which have no other local existence, except in the rank soil which abounds in every poisonous production. He has distorted (as will appear by the papers laid before this Board) circumstances in themselves innocent, or immaterial ; to serve his wicked purposes, he has not blushed to attribute to me acts which he has at length acknowledged before you to have been guilty of himself, viz. the suppression of a public Proclamation, which he assured the Commodore had been torn down by my friends, though his own Clerk, Mr. Burke, had been detected in the act \*.

The lowest and most miserable wretches, people without property or reputation, have been employed in every direction to solicit charges against me and my Government, with assurances, that any one who hath any complaint to make, would be well received at the First Commissioner's house. The respectable Planters have been tampered with, but without success. They had experienced the protection and advantages of a disinterested, upright, energetic Government, which had saved their persons and properties from jacobinical outrage and violation ; and the lesson of the times had put them on their guard against the promises of philanthropy. In the madness of disappointment he left nothing unattempted against the Magistrates, the Council and Commission. Emissaries have been employed to insinuate every where that the 3½ per cent. was, in his opinion, illegal and oppressive, and that the payment was enforced by the Commissioners contrary to his opinion ; that he was for the immediate introduction of the English Laws in mass ; but that we would not hear of such a measure. You,

\* Note by Colonel Fullarton.—Mr. Burke never was Clerk to Colonel Fullarton, and never was employed to pull down any Proclamations. It would, however, be fortunate for Colonel Picton, if he had no charges of a more serious nature to answer for, than that which he here states as having been made against his friends.

however,

however, Gentlemen of this Board, know that no one proposal, either for the benefit of the Merchants or Planters, or in any degree tending to forward the principles or any object of the Commission, has ever been made by the First Commissioner, who has entirely devoted himself to a miserable party, consisting of persons universally despised, to the utter dereliction of his duty as a Commissioner.

You have been witness to the spirit which has actuated the First Commissioner to become a public accuser; indeed the miserable expediency he has had recourse to in his endeavours to calumniate the Public Justice of the Country, can leave no doubt in your minds.

I am accused of tyranny and oppression, during the six stormy and dangerous years that I presided at the head of this Colony. Is there a single instance of my seizing the public records and depriving the accused of the means of defending themselves?—Is there one instance of my entering the house of a Chief Magistrate, armed for the purpose of rescuing a public delinquent, who had been committed by the Government in Council?—Can any Magistrate complain of my having arbitrarily released a prisoner committed by his authority, or having in any measure interfered in the due execution of his duty?

Who are the respectable persons that the First Commissioner brings forward to accuse me, and detaches to canvass the Town and Country to solicit charges against me?—The whole of their names are to be found signed to two Letters of the 10th of May, 1800, addressed to His Grace the Duke of Portland, and the Right Hon. Henry Dundas, two of His Majesty's Secretaries of State, at a period posterior to all the alledged enormities; I have subjoined these Letters, which those Gentlemen will explain in the manner most suitable to their honourable purposes\*.

I have done my duty to my King and Country, to the extent of my abilities, and if it is again placed in similar circumstances, I should pursue the same line of conduct. Great disorders require great remedies, I trust those I have found it expedient to make use of, have been commensurate to the occasion.

You, Gentlemen, have had your eyes upon me during the whole of this trying period; you have been in a situation to form a just estimation of my services and my conduct, and I have every reliance upon your opinion.

\* *Note by Colonel Fullarton.*—In a former part of this Address Colonel Pigton states, that the persons who accuse him are the lowest, and most miserable wretches, without property or reputation. Here, however, he brings them forward as having had their names transmitted by him to His Majesty's Ministers, bearing testimony to his merits and services in the Government of Trinidad.

## No. LXXXIII.

*Colonel Fullarton's Answer to Colonel Picton's Address.*

COLONEL PICTON has entered on the Minutes of the Trinidad Council, and transmitted to this Country, an Address, contrived with the intention of imposing on His Majesty's Ministers a high estimation of his own merits and exertions; it farther holds forth the most unfounded reprobation of the Troops under his command, and of the various classes of Inhabitants entrusted to his care.

The immediate object of the Address, however, is to repel, by foul aspersions, the serious Charges which I read to him in Council on the 24th of March. With this view, he has brought forth a mass of gross and scandalous fabrications. These were carefully concealed from me, during my absence from Port of Spain, in the months of April, May, and June, 1803; and only became known to me by a fortunate accident, after my return.

They have been transmitted to His Majesty's Ministers by Colonel Picton, together with numerous unfounded allegations entered on the Minutes of Council. These *ex parte* Communications have hitherto remained unanswered, because they have been officially withheld from me.

A libellous production, prepared for circulation by Colonel Picton, with a voluminous Appendix, has been put into my hands, and has enabled me to supply great part of the deficiency which, in my opinion, ought to have been obtained from another quarter.

The Charges against Colonel Picton, which have been the subject of investigation since the month of November last, are all of a Capital nature under the Statute passed in the 33d year of King Henry VIII. of course, they have hitherto precluded animadversion on any Delinquencies, but those affecting life. The period, however, is now arrived, when Colonel Picton's Defence, in every point, ought to be refuted.

He rests great part of his Justification, for the severities which he acknowledges were committed under his orders, on the state of the Island, of the Troops, Garrison, Inhabitants, and position of Trinidad. In this view, the Address in question unavoidably becomes the subject of animadversion, and the assertions it contains are contradicted by authentic Documents, and indisputable Evidence.

In the first place, a tribute of respect and gratitude is due to the distinguished character of Sir Ralph Abercromby. During the short period of his residence in Trinidad, his conduct and regulations inspired the Inhabitants, of all descriptions, with veneration. He marked the



the utmost attention and respect for General Chacone, the Spanish Governor, and obtained the confidence of all the Spaniards, so material to the welfare of the Island, and to the Commercial Interests of England.

It is to be lamented by every one who feels for the Colonial prosperity, and for the National Honour, that the principles which regulated his Civil and Military conduct were so grossly violated by the Person whom he was induced to leave in the command of Trinidad.

With regard to the Inhabitants of Trinidad, the different classes were in the following numbers and proportions, in the month of February 1803, as extracted from the Reports of the Commissaries of Population :

White People, 2261 :		Free Coloured People, 5275 :	
Of these, English,	663	Of these, English,	599
—— Spanish,	505	—— Spanish,	1751
—— French,	1093	—— French,	2925
	<hr/> 2261		<hr/> 5275

Total, including Negroes, above 28,000\*.

The 2000 Men of Colour, and 1000 White Foreigners of all descriptions, noticed in Colonel Picton's Address, were so far from being irreconcilable enemies to His Majesty's Government, that they have remained in perfect order and submission, from the date of the Surrender to the present period. This is already proved, and will be farther confirmed, if requisite, by many hundred Witnesses.

The French Inhabitants, including White and Coloured People, were undoubtedly the most numerous. They were composed of three different descriptions of persons : old Settlers previous to the French Revolution ; new Settlers, who had fled from the Republican Revolutionary atrocities in Gaudaloupe, and other *insurged*† Islands ; and Loyal Emigrants, who sought refuge from persecution and calamity, first under the mild Administration of General Chacone, and afterwards under the British Government.

In the year 1795, near two years previous to the Surrender of the Island, while His Britannic Majesty was at War with France, and in amity with Spain, Captain Vaughan, in His Majesty's Ship Alarm, in consequence of some personal altercations, or disputes, landed a party of armed Sailors and Marines from his Ship, and menaced an attack upon some of the French Inhabitants. Of course, they were highly exasperated, and threatened violence on any individuals who should

\* At the time of the Surrender, in March 1797, the number was somewhat more than 17,000, of all descriptions.

† This is the expression of Colonel Picton.

come

come on shore from Captain Vaughan's Ship ; but they were so far from offering any general or indiscriminate violence to the English, that the Officers and Men of all other British vessels were received on shore with perfect attention and civility, not only by the Government, but by the French Inhabitants\*.

It is maintained with the utmost confidence, and will be proved by indisputable Evidence, if required, that not one solitary instance can be produced to warrant the assertion, that any description of Inhabitants were irreconcilable enemies to His Majesty's Government. On the contrary, if any Revolutionary Emissaries ever introduced themselves into the Island, they soon found the general temper of the Inhabitants so ill disposed for insurrection or disturbance, that they were obliged to abandon all endeavours on that subject.

To establish this assertion, it is sufficient to recollect what has been proved in evidence, that, amidst the numerous individuals who suffered death, and other severities, no French person, either white or coloured, was ever accused of any capital crime, condemned, or executed, under Governor Picton, excepting only Jean Baptiste Richard, who was hanged without any trial. Governor Picton has farther borne the strongest testimony on these points, in a Proclamation, wherein he extols the loyalty, good order, and subordination of all the Coloured Classes in the Island †.

If, however, their sentiments had been so hostile as he now attempts to represent them, the mode of his administration could hardly be expected to remove their prejudices, or to attach them to a Government so exercised.

He states himself to have been left in a wide, open Town, without any fortified post, or point of strength to retire to ; with a weak, ill-composed Garrison, of whom the majority were Germans and Blacks, scarcely amounting at first to 700, and soon reduced to less than 500 men.

I ask him, as a Commandant and as a Governor, whether the fact which he asserts, that his Garrison was so weak and ill-composed,

\* Mr. Black, at present a Member of Council, and Alcalde of the First Election, happened at that time to go on board of Captain Vaughan's Ship. On his return, being suspected of treachery to the French Inhabitants, he was attacked by some of them, and fired at with blank cartridges ; he took refuge with Governor Chacon, who protected him from their violence. This incident has been much misrepresented, as an indication of the turbulent disposition of the French Coloured People at the period when the Island was surrendered to the British Forces, in order to justify the severities practised by Governor Picton.

† It is no less singular than true, that the English and Spaniards who were never charged with disaffection, including the Coloured People of those nations, were the only individuals, Germans suspected of desertion, and Negroes, excepted, who were executed without trial, under the orders of Governor Picton.

does not afford the strongest possible proof, that the 1000 Foreigners, and 5000 Coloured Men, whom he describes as irreconcilable enemies, were most loyal, submissive, and attached subjects? Otherwise, he and his inadequate Garrison must have abandoned their position. For all the energy and the resources which he attributes to himself, with 500 ill-composed Troops, could hardly have enabled him to have resisted the 1000 White Foreigners, with 5000 Coloured People, and all their slaves and followers, if they had been the irreconcilable enemies that he describes.

The injurious imputations which he vents against Hompesch's Regiment, sufficiently evince his animosity against that Corps, but never can afford the slightest palliation for the severities which he inflicted on upwards of fourteen soldiers belonging to that Regiment, and to the 60th Foot.

If any of them attempted to desert, why were they not tried, and punished agreeably to the laws and usages of War? If individuals committed atrocities against any of the Inhabitants, why were they executed without proof or trial, leaving the Inhabitants ignorant of the truth or falsehood of the offences for which they suffered, and only acquainted with the summary severity of a British Governor? Unfortunately, the promptness with which disorders are said to have been repressed, and the timely sacrifice of a few individuals stated to have been taken, *flagrante delicto*, do not apply to any of the cases with which I am acquainted. It is true, that many individuals were executed without any trial, within a few hours after declaration or accusation had been made against them, even without the customary formality of examination upon oath; which is never omitted on the preliminary information, in any Christian country.

But those executions neither preserved the lives nor the properties of any individuals.

The execution of so many German Soldiers, without any trial, so much offended the Commanding Officer of the Hompesch Detachment, Major Harman, that he remonstrated in person with General Picton, in terms of the severest reprobation. Indeed it is hardly possible to conceive a more efficient mode of exciting a general disturbance among all the Soldiers of the Garrison; for if any Military Man may be hanged or shot at the mercy of the Commanding Officer, without proof, trial, or permission of defence, for any crime, or for no crime, then the Articles of War, *ipso facto*, are abolished.

If Colonel Picton were at this moment an Emissary of France, he could hardly attempt to introduce a doctrine or practice more directly tending to disorganize the British Army, or to subvert the Constitution, and endanger the safety of the Country. Speaking as one neither unacquainted with Military History, nor with the Usages of War, referred to by Colonel Picton, I call upon him to produce a single instance

stance where such prompt examples of severity as he applied were ever attempted, under similar circumstances, by any Military Commander in the British Army \*.

If these doctrines be admitted, there is an end to all the principles on which the most distinguished Military Officers have established their characters and reputation. Look to the conduct of Marquis Cornwallis, Earl of Moira, Earl of Balcarres, Sir R. Abercromby, Sir Chas. Stuart, Sir W. Medows, Sir A. Campbell, Sir Alured Clarke, General Stuart, in Ceylon, Lord Hutchinson, General Keppel, Sir Charles Green†, in their capacities as Military Commanders. If the prompt severities of Colonel Picton are applauded, then the principles and practice of these distinguished Characters, their adherence to the rules prescribed by Civil, Criminal, and Martial Law, must be reprobated.

It is proved in Evidence, that Colonel Picton was posted in a quiet Garrison in Port of Spain, with obedient Inhabitants, regular Courts of Justice, secure Prisons, Picket-guards, Officers of Police, and all the ordinary functions of Civil and Military Affairs conducted without any interruption, obstruction, or disturbance. Under these circumstances, he usurped, and habitually exercised the power of imprisoning, banishing, mutilating, torturing, and executing individuals, in direct violation of English Law, Spanish Law, or Military Law, and without any judicial form whatever. On the other hand, Sir Charles Green governed and commanded in Grenada, during a period of desperate insurrection: I understand, however, that he strictly adhered to the Civil and Military ordinances, even in the most perturbed periods. But if, in fact, Colonel Picton had been placed in a camp surrounded with enemies, was he, on that account, at liberty to hang or shoot without mercy, and without trial, any Soldier at his own will, pleasure, or caprice?

On this point let the question be referred to all the distinguished surviving Generals whom I have already mentioned: let them pronounce, whether such doctrines are admissible under any possible interpretation of the Articles of War, and established principles of the British Army.

In another view, he describes the Inhabitants as refugees, irreconcilable enemies, and outcasts of Society. But suppose that, instead of having been posted in the peaceable Port of Spain, he had really inhabited a camp surrounded by the Inhabitants of Botany Bay, would any Military Commandant, or Civil Governor, presume to execute

\* The endeavours to introduce some dangerous innovations into the French Army in the year 1776, under the Count de St. Germain, were the principal causes which overturned the Monarchy in France. How inferior were those grounds of discontent, compared with the monstrous doctrines which Colonel Picton's supporters attempt to impose on the Soldier of England!

† Sir Charles Green governed and commanded in Grenada, during a period of actual and desperate insurrection.

even the felons of Botany Bay without any Trial, or specified offence, according to the mere dictates of his own caprice ?

What would be said on this subject by the great and distinguished Governors who have raised the English name and character so high in different quarters of the globe ?

On these points let the opinions of Lord Cornwallis, Lord Macartney, Lord Balcarras, Sir J. Macpherson, Governor Mills, Governor Keppel, and Lord Seaforth, be obtained.

At all events, for the sake of public service, of colonial security, national honour, and individual character, let the questions be determined, first, whether a Military Commandant may execute any Soldier at his own discretion without Trial, on the plea, that his Troops were inadequate, or ill composed ? Secondly, whether any Civil Governor may inflict what severities he pleases on any individuals under his authority, and then claim merit for applying remedies which the slow operation of the Law could never have effected ?

The next assertions of Colonel Picton carry along with them their own refutation. He states his Garrison to have been reduced to 498 Effectives, and that plans of seduction and attack were contrived by the Governor-General of Carracas, and by the Governor of Cumana ; that a Corps of Deserters was formed, and the Brigands from all the different Islands were collecting on the coast of the Gulf of Paria, opposite to Trinidad, to correspond with their numerous friends, and that the Mulatto General, Bellegarde, had arrived at Guiria, to command the Troops in question. Colonel Picton, it seems, resolved to disperse this hostile force by a detachment of 100 men, who found the force dispersed before their arrival. In other words, no force was formed ; and the various expeditions against Guiria, Point-à-Pierre, Campani, Rio Caribbee, on the river Guarapuchy, on the river Oro-nooque, and other places, were merely predatory enterprises, to procure mules and cattle ; for on the night of the 14th June, 1803, before his departure from Port of Spain, he had a violent altercation with the Treasurer, Mr. Collin, respecting an account and demand of his for cattle, and other items so procured. The account, it seems, had been returned to him : he maintained that it was mislaid, or withheld, by Mr. Collin, who was dangerously ill at the time, but whom he raised from his bed, and outraged in the grossest terms ; he then hurried on board, venting his anathemas against Mr. Collin and the Colony.

Another object of these expeditions was to punish individuals who had incurred his resentment.

In particular, he ordered one of these predatory detachments to seize Estevan Dubois, a Spaniard, settled on the Main, imprisoned him in Port of Spain, and afterwards embarked him for England.

It

*Gov. Melville*

It would be improper at present to offer any comments on the aggravated circumstances of this case, as Mr. Dubois has directed it to be referred to a British Court of Justice.

The fate of Madame Delzin was still more distressful: Governor Picton ordered her and her helpless family to be seized at their residence upon the Main, and conveyed to Port of Spain; they were put on board of an insufficient vessel, and perished, in a gulf where gales of wind are never known. To these must be added the following authenticated acts: 1st, The public flogging of a free Spaniard from Valentia. 2d, The confiscation of property belonging to Ignatio de St. Lazaro. 3d, The seizure of launches belonging to Spaniards on the river Oronoque, under pretence of indemnifying Mr. Cipriani, a Merchant in Port of Spain, for the loss of a Privateer taken in another direction. 4th, The expulsion of the Spanish Assessor, Don Gurado, Don Padillo, and every other Spanish Lawyer, from the Colony. 5th, The forcing all persons to refer their Litigations respecting Property to Arbitrators named by him; thus at once overturning all rules and forms of Spanish and of English Law, and rendering all contested property entirely dependent on his will and pleasure. 6th, His machinations to excite Don Gualis, Don ~~Easo~~, and other persons, to insurrection against the Spanish Government in Carracas, and then betraying these unfortunate individuals, and leaving them and their adherents to cruel punishments and death. 7th, His executing, without any trial, the Spanish peon, Celestino, in consequence of which many hundreds of that most useful class of labourers abandoned the Island. 8th, His torturing and executing, without trial, the Guycaree Indian marines from Margaretta, on the bare suspicion that the owner and commander, named Boscaruydos, had given a passage in a launch to three deserters.

These, and a multitude of similar proceedings against the Spaniards, induced the Government of Carracas to issue a Proclamation, offering a price for his head. This has been distorted by his Panegyrist into the highest praise which can be bestowed upon a Military Commander.

*D'España*  
See Address to  
B. G. Picton,  
presented to him  
4th June, 1803.

If I were to state the impressions of these acts on the minds of the Spaniards, and other inhabitants of Trinidad, and on all descriptions of South Americans within the range of British intercourse, I should expose myself to imputations of exaggeration from motives of inveteracy. They seem contrived on purpose to defeat the inestimable benefits derivable from reciprocal confidence and intercourse between the Continent and Trinidad; to degrade the British character and estimation, and to expose the Island to every species of internal and external danger.

The extraordinary advantages of soil and situation which Nature has bestowed on this important Settlement, and the industrious tendencies of the Inhabitants, have counteracted the pernicious interference of oppression.

oppression and cruelty. The enormities committed against the Royalists and Moderates in Guadaloupe, and other islands under the Revolutionary Tyrants, drove several thousand individuals to seek shelter in Trinidad; thereby increasing its population and the means of its improvement. Governor Picton issued a Proclamation, declaring them to have acted with the utmost loyalty and subordination; but afterwards, when it became necessary to contrive excuses for his cruel and illegal acts, he and the Members of Cabildo under his influence, declare all these Coloured Persons, indiscriminately, to be miscreants, who ought to be exterminated. At the same time, and on the same Minutes of Council, he takes credit for tranquillity and prosperity, to which these very *miscreants* denounced by him for extirpation had so materially contributed.

Leaving him to wrest these contradictions into any thing which he imagines may resemble a Defence, I need only add, that the unalterable principles and practice of Sir R. Abercromby gave a flat denial to claims of praise, stated to have been bestowed by him on any acts of illegality or violence. The Dispatches from that distinguished Officer, and from other Chief Commanders, may have applauded many parts of General Picton's conduct, as described by himself, which they would have reprobated, if the facts had been truly represented.

Let me ask, what General in the Service is so regardless of his character and public estimation, as to maintain that the torturing of helpless women and children, are laudable acts of vigilance and vigour for the defence of a Garrison; that the seizing the slaves of Savignon, a minor, and appropriating them to his own emolument, was an upright act, evincing the pure intentions of the Governor; and that burning Pierre François alive in a brimstone shirt, under charge of poisoning, by means of charms and witchcraft, is a moderate application of lawful authority for the welfare of the Colony? If the most distinguished General in Europe were to sanction, or palliate, such transactions, he would disgrace his own character, but never could remove the reprobation indelibly stamped by the hand of God on such enormities.

The remaining part of Colonel Picton's Defence exhibits an endeavour still more unavailing, of justifying himself by every species of invective against me, and others who reprobate his conduct. If I were at once to admit all possible depravities of the head and heart to be concentrated in me, it would not advance him one step in the business of his vindication. A respectable Planter, long established in Trinidad under the Spanish and British Rulers, has expressly declared in evidence, that the Government of that Island, under B. G. Picton, resembled what he had read of the Government of France under Robespierre.

By his system of espionage and terror, he not only extorted addresses

dresses and applause from individuals whom he outraged, but intimidated the boldest Inhabitants from hazarding complaints against him. He endeavoured to repel accusation, and to prolong his power, by contriving and transmitting to His Majesty's Ministers a mass of fabrications, of which the Address in question affords only a compendium.

In refuting the allegations contained in this Address, my chief object is to expose the corrupt spirit of perversion and deception to which he has recourse. It is perfectly true, that he received me on the 4th of January 1803, with great attention and propriety, which I took an early opportunity of expressing to Lord Hobart. The remaining paragraphs in Colonel Picton's Address contain so many fallacies, that I am under the necessity of contradicting them numerically.

*First*, "That I overwhelmed him with flattery, admiration, and assurances of a fixed determination to pursue the same measures."

The terms in which I declared my intentions of co-operating with B. G. Picton, and all descriptions of Civil and Military Persons, for the welfare of the Colony, are fully detailed in my exposition of his libellous composition, entitled *A Statement of Facts*, and in my Address to Lord Hobart. They neither contained flattery nor admiration of B. G. Picton, nor of his measures, with which I was totally unacquainted; but in my speech to the Public Bodies, I gave assurances of a determined adherence to the Capitulation, to the Instructions, and to principles of conciliation best adapted to promote the welfare and prosperity of all classes of Inhabitants.

*Second*, "That I went to the Colony with hostile intentions."

Colonel Picton attempted to give a colour to this allegation, by prevailing on Mr. Woodyear, during my absence, to enter on the Minutes a Statement, if possible, still less connected with veracity than the preceding assertions. The Paper is annexed, and accompanied by authentic declarations, detecting the dangerous and base endeavour to deceive. The fallacies were afterwards retracted, contradicted, and apologized for by Mr. Woodyear himself. See Minutes of Trinidad Council July, 1803.

*Third*, "That I assembled around me, all that was despicable in the Colony."

*Fourth*, "That I excluded every honourable character."

Those who know my habits and connexions through life, will appreciate the merits of such asseverations. It is a matter of notoriety that I kept open house: that I devoted my whole time to business and reception: that no exclusions of any sort occurred; and that I had the honour of receiving the most gratifying marks of attention from all classes of Inhabitants.

*Fifth*, "That I invited notorious characters, hostile to His Majesty's Government, to return."

The fact is directly the reverse: if I had heard of any such persons  
in



in the Island, I would have adopted measures for their examination in regular judicial form : but I would neither have banished them, and confiscated their property without any investigation ; nor have imprisoned them, without specifying their offences ; nor have put them to the torture to extort confession ; nor have executed them without trial : all of which were the customary forms of proceeding under Governor Picton. It is to be observed, that every individual who displeased him, was invariably represented as an enemy of His Majesty's Government.

*Sixth*, " That I employed every low means of calumniating his character."

In answer to this charge, I have only to ask, if the most productive faculty could have invented calumnies at all commensurate to the acts which Governor Picton daily committed ; and which have not only been proved, but which he has been under the necessity of admitting, and of attempting to justify. The imputation that I employed low means of calumniating his character, is too contemptible to deserve a more elaborate reply.

*Seventh*, " That I interfered illegally and vexatiously with the Magistrates and Commandants of Quarters."

See Queries to  
the Cabildo, and  
the answers,  
Feb. 1803.

So far from interference with Magistrates or Commandants, I urged them to adhere to the terms of the Capitulation, and to the Laws of the Recopilacion which govern Trinidad. The irregular and illegal imprisonment of a Frenchman of Colour, named Durand, by Mr. Noel, without any specification of an offence, is the only case to which Colonel Picton's assertion respecting Commandants can have any reference, and is fully detailed in my Address to Lord Hobart, and in my Comparative Statement, or Exposition of Governor Picton. My queries to the Cabildo, and the answers dated February 1803, sufficiently evince the deviations from all legal principles, and the system of oppression in the daily dispatch of judicial operations which were practised by Governor Picton, and the two Alcaldes and Magistrates in Port of Spain.

*Eighth*, " That the Police was entirely overturned, and the Colony brought to the very brink of ruin."

It is to be observed, that the Police in Port of Spain consisted of an Intendant, Le Chevalier de la Sauvagere, who had been appointed by Sir Ralph Abercromby, and approved by B. G. Picton ; but afterwards prevented from acting by the Brigadier and by the Cabildo. There was also an Alguazil Mayor, or Provost Marshal, his Deputy, together with six Alguazils.

Under Governor Picton, almost the whole Police duty had been performed by means of Military Force. Arrests and imprisonments were usually effected with the aid of Black Troops ; who thus were daily accustomed to inflict the most humiliating indignities on Europeans of every

every description, under a Governor, who attempts to make His Majesty's Ministers believe, that he exacted the most rigorous observance of deference and submission from the Blacks and Coloured Classes to the White population : while, in fact, he violated all classes and conditions, as often as caprice, resentment, or other motives, instigated his outrages.

Accompanying letters from G. A. Adderley, Esq. Provost Marshal, and from J. R. Smith, Esq. Alcalde de Barrio, shew, that after the misunderstanding respecting the admission of Madame Duval, Colonel Picton refused all Military Aid for protection of the Civil Inhabitants. It must have been at this moment he means to assert, that the Police was entirely overturned. Mr. Adderley and his Deputy were indefatigable in their exertions ; and I used my best exertions to re-establish the Intendant of Police in the exercise of his duties : but in those endeavours the Alcaldes, Black and St. Pé, in the Cabildo invariably counteracted me. Notwithstanding every endeavour on the part of Colonel Picton to excite disturbance, and to with-hold the means of public security, the most perfect tranquillity continued in all quarters of the Settlement, without a single interruption, during the whole period of my acting in the Government. This assertion is confirmed by the united testimony of the Gentlemen officially employed along with me.

*Ninth*, " That all distinctions were confounded, the Coloured People suddenly exalted, and a dark Mulatto placed by me to sit alongside of Baron de Montalembert."

Without entering into the merits or demerits of this transaction, stated to be an extraordinary phenomenon, calculated to exalt the fervid imaginations of a restless class, it is enough to quote a Letter from the Baron de Montalembert himself :

*Copy of Letter from the Baron de Montalembert to Colonel Fullarton.*

" MONSIEUR LE PREMIER COMMISSAIRE,

Je viens de recevoir la Lettre que vous m'avez fait l'honneur de m'écrire, aujourd'hui, Dimanche, 19 Juin, 1803. Vous me faites celui de me dire, qu'on vous a rapporté que vous m'aviez placé chez vous a table, a coté d'un Mulatre, cela est impossible, *Parce que je me serois levé de la table*, par consequent Celui qui lá dit en a menti, et partout, je le lui prouverai. J'ai l'honneur d'être,

Monsieur le Premier Commissaire,  
Votre tres humble et tres obeissant Serviteur,

LE BARON DE MONTALEMBERT."

*St. Anne, Le Dimanche, 19 Juin, 1803.*

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I had addressed the Baron in consequence of a Communication from Dr. O'Flanagan, that he had heard the assertion made at the table of Mr. Langton, a Member of Council, in presence, and with the assent of Baron de Montalembert. On receiving his Letter, I communicated its contents to my Informer, and leave the matter to be adjusted between the Doctor, the Baron, and the Brigadier\*.

*Tenth*, "That B. G. Picton expostulated, remonstrated, opposed, but to no purpose; and that it pleased the Lord to terminate the misery and alarm of the Colony, by the arrival of Commodore Hood."

It is to be observed, that he arrived at Port of Spain on the 22d of February; and that, previously to that day, B. G. Picton had neither expostulated, remonstrated, nor opposed, except in the single instance of Madame Duval, and of Mr. Woodyear's conduct respecting her admission. It is true, that in another instance, in private conversation he had expressed to me his dissatisfaction that I attended the weekly Meeting of the Cabildo; and that I had visited the Prisons, which he had never done. But the Minutes of Council prove, that there was not one article of remonstrance or dissent on the part of Colonel Picton, or of any Member of Council, from the time I reached Trinidad; till after Commodore Hood's arrival; except on the 17th of February, respecting Mr. Woodyear.

It remains to be shewn, in what manner the arrival of Commodore Hood terminated the misery and alarm of the Colony, even if I were to admit the figurative expressions so frequently resorted to, that the interests of the Colony and of B. G. Picton are identified.

*Eleventh*, "That having no hopes left; I became furious from disappointed avarice and ambition, and vomited forth the scandalous Libel, which has drawn upon me the indignation of every respectable Inhabitant."

The term, scandalous Libel, which I am stated to have "*vomited forth*," refers to my Minute read in Council on the 24th of March 1803. Colonel Picton is correct, in asserting that it excited the indignation of every respectable Inhabitant against the perpetrator of such enormities. It is difficult to understand how my avarice could be disappointed; in a situation in which I invariably declared, that I would neither accept of fee, emolument, nor benefit, directly or indirectly, except the net amount of the salary and allowances fixed by His Majesty's Ministers.

As for my ambition, it could hardly expect any gratification in that quarter, except by collecting information and materials for a useful, comprehensive and just Report, tending to the improvement of Colonial Regulation. In this object, undoubtedly, I have not experienced

\* Dr. O'Flanagan is nearly related to Mr. Langton, a Member of Council, intimately connected with Colonel Picton.

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the slightest disappointment. So far, indeed, was my situation in Trinidad from being supposed to exhibit objects of an ambitious nature, to a person holding the connexions I have done in public life, that it has frequently been mentioned to me as a matter of surprize, that I should have accepted the employment of First Commissioner. Enlarged political views connected with former transactions in which I was engaged, induced me to undertake my share in the Commission. Under the impression, as stated by me officially, that I only accepted the situation if compatible with retaining my seat in Parliament, after being gazetted as First Commissioner, my re-election took place, and I embarked in perfect confidence of remaining Representative for the County of Ayr, having had the honour of being chosen unanimously in two succeeding Parliaments. To my astonishment, afterwards, I received accounts, that a new Writ was issued, my Seat having been considered as vacated by my accepting the office of Commissioner, for which my name appeared in the Gazette previous to my Election. I understand this transaction took place upon an opinion given by the Attorney-General. The loss of my parliamentary situation is sufficient to prove, that Trinidad has not been calculated to gratify ambitious propensities, supposing me influenced by them. I must, however, feel the greatest satisfaction, from having been the means of relieving that valuable, though hitherto unfortunate Colony, from the most cruel and oppressive system that ever disgraced the annals of any government.

*Twelfth*, "That I made an ostentatious enumeration of acts of tyranny, cruelty, and oppression, which were no more than the customary animadversions of the Laws upon irregular and criminal actions, moderately applied by the legitimate Magistrates, for the support of order, regularity, and government. That I descended into my own heart, for motives which have no other existence, except in the rank soil which abounds in every poisonous production; and that I distorted circumstances, in themselves innocent or immaterial, to serve my wicked purposes."

This paragraph, whether considered as matter of accusation or defence, would require a volume in exposition and reply.

In the first place, it would be necessary to specify the Criminal Acts charged against Colonel Picton by me, and the Evidence in support of them: those of a capital nature include twenty-nine cases of death, unlawfully and cruelly inflicted.

Seven Charges, for the execution of persons without any form of Trial, have been proved in Evidence; namely, Gallagher, Celestino, the Guyacaree Indian, Alangon, Goliath, Pierre Warner, and Jean Baptiste Richard.

The execution, without trial, of Present, a Negress belonging to Mr. Kenny, for no other offence than having eloped with a Black

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Soldier to whom she was attached, is verified by the Declaration on oath of Mr. Kenny in the Trinidad Council, in July, 1803 ; and a Witness, who saw the execution, is also in London, to bear testimony to the fact.

In addition to these, there are seven other cases of persons who were executed (several of them tortured, and one of them burned alive) by order of Governor Picton, under Charges of witchcraft, divination, sorcery, and poisoning by means of charms. The Definitive Sentences in the years 1801 and 1802, include mutilations, tortures, and severities, inflicted on numerous individuals.

Besides these, there are fourteen German Soldiers who were executed without any trial, as Deserters.

The case of Louisa Calderon, a Spanish girl, who was put to the torture, while under fourteen years of age, is also specified. On this Charge, a Bill has been found by the Grand Jury of Middlesex, and will, of course, be discussed in proper form.

If these acts, committed by order of Colonel Picton, were to be considered as no more than customary animadversions of the Laws, or as circumstances in themselves innocent and immaterial, on what principle could the persons who defend such doctrines, venture to arraign the less cruel practices of the Revolutionary Committees in France, under Marat and Robespierre ?

*Thirteenth.* " That I had not blushed to attribute to him acts which I had acknowledged to have been guilty of, viz. the suppression of a Public Proclamation, which I assured the Commodore had been torn down by his friends, though my own Clerk, Mr. Burke, had been detected in the act."

This sentence contains four falsehoods, all of which are exposed at full length in my Letter to Lord Hobart, and in my Comparative Statement, or Exposition of Colonel Picton's Libel. It is not true, that I ever suppressed, or acknowledged the suppression of a Proclamation. Mr. Gallagher, the printer, placarded one, directly contrary to my orders, without shewing me the proof sheet, as he had promised to do. I reprimanded him in presence of several Gentlemen, for having disobeyed a positive order to that effect, communicated to him from me by Mr. Burke, and directed him to bring to me, without delay, the number which he had placarded : he stated them to be fifty, and in a very short time brought forty-nine of them.

The notoriety of these facts contradicts the possibility of any rational assertion, that they had been torn down by the friends of B. G. Picton. It is still more preposterous to state, that Mr. Burke ever acted as my Clerk, an office perfectly incompatible with his situation, or that he had any concern in performing the work of the printer, Mr. Gallagher.

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It would seem that some unaccountable infatuation has actuated B. G. Picton to record a Defence, no less distinguished for deception than his conduct has been for systematic cruelty, and for corruption.

*Fourteenth*, "That miserable wretches had been employed to solicit Charges against him and his Government, and that respectable Planters had been tampered with."

Colonel Picton seems to have forgotten that to solicit charges, or to tamper with any one, was equally unnecessary. The difficulty was, to resist and to reject accusations against him and his Government. The acts charged were all of public notoriety, many of them on record, and others of them witnessed by several hundred individuals. He holds me guilty of a heinous crime, because my arrival interrupted the reign of terror, and induced the panic-struck Inhabitants to utter some of their complaints.

He charges me with every depravity, because I would neither become prospectively a participator in his guilt, nor submit to his outrages. It is true, that while the nature of the man, and of his acts, were unknown to me, I publicly declined all retrospect; but after I was forced into a knowledge of his transactions, I had no alternative but either to participate, or to reprobate and expose them. The able and distinguished Counsel with whom I advise, declare, that if I had done otherwise than adopt the latter course, I should have deserved condign punishment.

*Fifteenth*, "That the respectable Planters had experienced the protection and advantages of a disinterested, upright, energetic Government, which had saved their persons and properties from jacobinical outrage and violation; and that the lesson of the times had put them on their guard against the promises of philanthropy."

To prove the advantages enjoyed under the energetic Government of Colonel Picton, it would be necessary to enumerate the individuals who, by his authority, have suffered imprisonment, banishment, confiscation, or loss of property, mutilation, torture, and death, without any informations on oath, and without trial, in direct violation of all principles and forms of Spanish, and of English Law.

To establish the disinterested, upright nature of his Government, would require a specification of the acts affecting property, which he sanctioned and committed. Many hundred persons were banished without proof or investigation, and hurried on board of vessels without any record or register of their supposed offences, or of their names, leaving their property at the mercy of the Governor, and of his coadjutors. The extraordinary violence with which, after my arrival, he resisted the admission of any persons at all connected with those who had suffered such acts of oppression, arose from the double apprehension, that they would expose the trans-  
actions,

actions, and reclaim the property of which their connexions had been deprived.

The Jail-books shew, that during the course of his Government, several thousand slaves were thrown into prison, starved, flogged, punished, and detained from their Owners; many of them, as Ma-rooms or runaways, others for trifling offences, and some of them for no offences at all, as a matter of occasional pique and resentment against their masters; such as Mr. Dawson, Mr. Macnamara, Mr. Kenny, Dr. Shaw, and various other Gentlemen. No advertisements or descriptions of the Slaves so detained, were published till after my arrival; when I established a weekly report in the Newspapers of all Slaves confined in Jail, for the information of their Owners.

Unreasonable jail fees and charges for subsistence were exacted, while the wretches were starved and maltreated; insomuch, that many of them were reduced to skeletons, and not recognizable by their acquaintances. From time to time, clandestine sales of these unhappy victims were arranged between the Governor and the Jailer, Vallot. Thus his Excellency and Mrs. Rosetta Smith, and his confidential friends or favourites, supplied themselves with Slaves, either gratis, or for trifling nominal sums, which remain to be accounted for. No person in the Colony would have presumed to offer as a Competitor, and the Owners of the Slaves, thus plundered, were obliged to stifle their complaints, for fear of suffering still greater injuries.

Under these circumstances, the lesson of the times must have sufficiently put the Planters on their guard against promises of such philanthropy.

Colonel Picton's extensive possessions at Aricagua, Naparima, Guyaguayare, and other districts, are cultivated by Slaves, many of whom were so procured. The fifteen Slaves whom he seized and appropriated to his own use, belonging to J. B. Savignon, a Minor, are already specified in a distinct charge, and need not be referred to now.

The mode by which he supplied his Estates with stock, lumber, salt fish, provisions and plantation stores, affords another illustration of the disinterested, upright principles, on which he governed.

When the Captains of American vessels laden with these articles, reported their arrival to the Governor, it was not unusual for him to fix an under-rate, at which he enjoined them to dispose of such articles as he was inclined to purchase. On the other hand, they could have no hopes of favour and protection, unless they took payment in rum, sugar, and molasses, from his estates, at rates far above the market price.

If farther instances are wanting, to prove the advantages experienced under the disinterested upright Government of Colonel Picton, they will be found in various charges of Corruption specified against him, in his capacity as Civil Governor, and in other charges against him

him as Military Commandant, for conduct unbecoming the character of an Officer and a Gentleman.

*Sixteenth*, "That, in the madness of disappointment, I had left nothing unattempted against the Magistrates, the Council, and Commission."

The only attempt I ever made, either for or against the Magistrates, consisted in my unavailing endeavours, communicated officially in writing, to urge their adherence to the terms of the Capitulation granted by Sir Ralph Abercromby on the surrender of the Island; to enforce their obedience to the Recopilacion of the Indian Laws, by which the Judges and Magistrates are bound to govern their decisions; and to enforce the Spanish Law, which requires a specification of the offence to be delivered to the Jailer along with any person sent to prison, and a report to be made to the persons exercising the powers of Government, before the infliction of punishment.

With respect to the Council and Commission, or, more properly speaking, the Commission in Council, the converse of Colonel Picton's proposition is the truth. His instigations betrayed them into so many acts of outrage, aspersion, illegality, and aggression, as would require an elaborate enumeration and explanation.

To prove the disgraceful abandonment of every thing connected with truth, in the communications from Colonel Picton on these subjects, it is sufficient to quote his Letters to His Majesty's Ministers, dated 18th February, 6th March, 24th March, 28th March, and 2d April.

*Seventeenth*, "That I employed emissaries to insinuate every where; that the Three and a Half per Cent. was, in my opinion, illegal and oppressive, and that the payment was enforced by the Commissioners contrary to my opinion."

The reverse of all this is truth. My labours, in conjunction with the Treasurer, Mr. Collin, were incessant, to give effect to the Three and a Half per Cent. Duty. This will be proved by the Declarations of Mr. Collin; by the Minutes of Proceedings in Council on the subject, under my direction; by the conferences which I held with a Committee of the British Merchants; and by the arrangements for rendering the Duties productive, specified in my Letter to Lord Hobart, dated 25th June, 1803. So far from ever stating that the payment was enforced by the other two Commissioners, contrary to my opinion, I have always maintained that Governor Picton had unwarrantably allowed the Duties to be evaded, and that the Governor, or Commissioners, had no authority whatever to justify their remissness on that subject, although it was undoubtedly their duty to hear and to discuss any objections that the Merchants, or other persons interested, might think requisite to be transmitted for the information of His Majesty's Ministers; and farther, that they were highly culpable, for the uncivil and imperious manner in which they repelled the application of the Merchants on the subject, in April 1803.

*Eighteenth*,



*Eighteenth*, "That I never made any proposal for the benefit of the Merchants or Planters, or in any degree tending to forward the principles, or any object of the Commission; and that I entirely devoted myself to a miserable party, consisting of persons universally despised, to the utter dereliction of my duty as a Commissioner."

The Merchants and Planters have expressed themselves in very different terms, and give me credit for promoting the security and welfare of the Colony.

The principles and objects of the Commission have been punctually adhered to by me in every instance; and all the outrages and counteraction of Governor Picton, and of his adherents, have not been able to prevent me from attending to, and in great part completing, the researches necessary to give effect to His Majesty's Instructions.

I trust that the successful exertions which I made to relieve the Colony from cruelty and oppression, and to restore the Judicial Establishments, the Magistracy, and the Police, to their original principles, together with my surveys and suggestions for colonial regulation, improvement, and defence, sufficiently evince that I did not neglect one item of my duty as First Commissioner.

The assertion, that I entirely devoted myself to a miserable party of persons universally despised, stands on the same footing of credibility with the Declaration officially transmitted to Lord Hobart on the 2d of April, 1803, that I was in a situation of serious and direct insanity; and with another Declaration officially transmitted, that I had drawn and carried off 10,000*l.* of public money on the day of my departure from Trinidad; although the Treasurer's accout with me, proves that I did not receive one fraction of public money, on any pretence whatever, except the net amount of my salary to the 1st of November, 1803.

If the principle were to be admitted, that persons officially employed may transmit such falsehoods to Ministers with impunity; that such *ex parte* mis-statements may be laid before the King and the Privy Council, without affording the parties concerned an opportunity of knowing and refuting the scandalous allegations—there must be an end of all faith, security, and honour, in the service of the Crown, at any distance from the Seat of Government.

Fortunately for the Public Service, in the present instance, these aspersions have been levelled against one who is not to be deterred from the performance of his duty by any combination of delinquency operating on the weakness and credulity of some, and on the perverted moralities and obscure intellects of others.

*Nineteenth*, "That I had become a Public Accuser, and had recourse to miserable expedients, in my endeavours to calumniate the public justice of the Country."

It is impossible to calumniate, without producing accusations or assertions,

sections, which are false, injurious, and malignant. Those which I have produced are not only verified by Vouchers, Documents, and indisputable Evidence, but the party in question has been forced to admit them, after having had recourse to the miserable expedients, first, of calumniating me as his Accuser, then of denying all the facts; next, of admitting all the facts, and afterwards of attempting to justify, as necessary and meritorious, those very acts which he had previously reprobated as injurious and malignant imputations. So far from having been actuated by any spirit, as a matter of choice, to become a Public Accuser, I was forced to resist the attempts which were persisted in to involve me prospectively in the same system of atrocity. I do not come forward as a voluntary Accuser, but as a Defender of the colonial interests and Inhabitants of Trinidad.

The production of the Criminal Charges, and of the Evidence and Documents in support of them, together with the Extracts from the Minutes of the Council and Cabildo on judicial subjects, and my discussions on those points, will afford the best proof how far I have endeavoured to calumniate the public justice of the Country.

*Twentieth*, "That I seized the Public Records, and deprived the accused of the means of defending themselves."

The reverse of this is proved to be the fact by the accompanying Documents, shewing that I preserved the Public Records, and secured to the accused the means of defending themselves.

*Twenty-first*, "That I entered the house of a Chief Magistrate, armed for the purpose of rescuing a public delinquent, who had been committed by the Government in Council."

The same Documents referred to in the preceding article, and the annexed Declaration on oath, by Messrs. Adderley, Burke, Hill, Mackenzie, and Vint, establish the falsehood of the allegation. The person alluded to by Colonel Picton, was not a public delinquent, but the Keeper of the Public Records, Mr. De Castro, who had faithfully and punctually performed his official duty. He was not committed by the Government in Council, but by an illegal act of a meeting of the two Junior Commissioners, unlawfully assembled, without any intimation to me the Senior Commissioner, although I was then present in Port of Spain; of course, the acts of that meeting were struck with nullity.

*Twenty-second*, "That I arbitrarily released a prisoner committed by authority of a Magistrate, and interfered in the due execution of his duty."

The prisoner alluded to, was named Durand, sent to jail by Mr. Noel, Commandant of the Carenage. The Provost-Marshal, Mr. Adderley, has sufficiently proved, that Durand was released from prison, because he had been unlawfully confined without any specification of an offence—" *jusqu'a nouvel ordre*—directly contrary to  
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the Spanish Law on this subject, quoted from the Recopilacion in the accompanying Documents. So far was I from ever interfering with any of the Magistrates in the due execution of their duty, that I invariably encouraged and required from them a strict adherence to the Capitulation, to the Treaty of Amiens, and to the laws under which they were bound to act by His Majesty's Instructions. Mr. Noel afterwards sent a specification of an offence in proper form; in consequence of which Durand was confined in jail for several months. He was acquitted by the Alcakde during my absence, and prepared to bring an action against Mr. Noel for false imprisonment; but his legal adviser, Mr. Double, strongly impressed him with the danger of bringing any action against a White Man, and a Commandant, which would infallibly have exposed him to farther persecution. He therefore determined to sell his property, and to leave the Carenage, in order to avoid the oppressions of Mr. Noel.

*Twenty-third*, "That I brought forward persons to accuse him, and detached them to canvass the town and country to solicit charges against him; that the whole of their names are to be found signed to two Letters of the 10th of May, 1800, addressed to the Duke of Portland and to the Right Honourable Henry Dundas, at a period posterior to all the alledged enormities."

In the first place, I never brought forward, nor detached any person, to accuse, to canvass, or to solicit charges. It is a matter of notoriety, that until the 17th of March, 1803, I constantly refused to hear any thing connected with retrospective accusation. On that day, Colonel Picton's Minute of Council, and other proceedings, announced his determination to persist in forcing me either to participate, and prospectively sanction and continue his system of severity, or to experience all his outrage. I determined to resist the one and to expose the other. From that moment all restraints on retrospective accusation were removed; and, in a short time, such a mass of criminal information was received, and verified in proper legal form, as never had been charged against any British Governor, at any period of the Monarchy—all of which has been already stated.

In the next place, it appears that the persons who signed the Letters of the 10th of May, 1800, had no concern whatever with the accusations which I read to Colonel Picton in Council, on the 24th of March, 1803. It is true, that some of those individuals have been examined in support of the charges; for it has been my object to establish or confirm the facts by persons who have been intimately connected with him, and officially employed under him, as well as by those who have signed Letters and Addresses in his favour. With this view I suggested that his Secretary, Major Collins, and Colonel Andrew Clarke, were material Witnesses, which their testimonies have sufficiently evinced. I am confident that Colonel Balfour, Captain West, Mr.

**Mr. Nugent, Colonel Darling, Captain Shelton, and other Gentlemen, who have been examined on behalf of Colonel Picton, will prove equally efficient for the purpose of corroborating the Charges against him, as soon as I shall be made acquainted with the evidence they have delivered, and permitted to suggest the interrogations necessary to ascertain the circumstances under which the acts specified in the different cases were committed. At all events, however, it is requisite for me to contradict the assertion of Colonel Picton, that the alledged enormities were posterior to the Letters of the 10th of May 1800, addressed to the Duke of Portland and to the Right Hon. Henry Dundas.**

On the contrary, some of the greatest enormities were committed subsequent to the month of August 1801; at a period, when the general pacification had precluded the possibility of resting any palliation or fictitious statements respecting apprehensions from foreign or domestic enemies. From August 1801, till April 1802, no less than 25 persons suffered mutilation, torture, banishment, and death, on charges of sorcery, divination, witchcraft, and poisoning by means of charms. Their names are inserted in the accompanying Minute, dated the 19th of March 1803.

The crimes of which these victims stood accused, were not cognizable by any English Law, still less by any Spanish Ordinance; no temporal Tribunal in that Country, nor any other Tribunal, except the Inquisition, having any jurisdiction over offences considered as imaginary, or entirely of a spiritual nature.

In defiance of all principles and forms of English and of Spanish Law; without an Assessor—without a Defender for the accused; without an Interpreter, Governor Picton appointed certain Frenchmen to form a Commission for the trial of crimes not amenable to any English, or to any Spanish Jurisdiction. In appointing this Commission, Governor Picton assumed a power which no King of England ever exercised, ever delegated, or ever could confer. In the Evidence and Authorities which I have already brought forward, the violations of the principles, forms, and practice of Spanish Law, committed by Governor Picton are fully established. Twenty-nine charges of death, unlawfully inflicted, are proved, or offered to be proved. It is established in evidence, ready to be confirmed by the great Body of Inhabitants in Trinidad, that, during the whole period of Colonel Picton's Government, from the month of March 1797, there never occurred a single instance of mutiny, disturbance, or insurrection in the Garrison, in the Town, or in the Island of Trinidad: that all classes of the Inhabitants were obedient to the Laws; that the jails and picquet guards were perfectly secure for the detention of Prisoners; that the Civil and Criminal Tribunals were never once interrupted in the ordinary discharge of Judicial Duty; that Martial Law was never proclaimed; that the Militia was never ordered on permanent service; and that no circumstance

stance ever happened to interrupt the ordinary course of proceedings by Civil, Criminal, or Military Law. All this, however, it seems, is not sufficient. These severities, cruel, illegal, and unnecessary as they may appear, were perpetrated, as we are told, with the best designs, without guile, and for the public safety. The colour and complexion of an act, depends on the intention with which it is performed; and Colonel Picton asserts, that he was actuated by no sinister motive. If this affords sufficient justification respecting the deeds proved to have been committed by that Governor, I would ask, what acts on earth could constitute guilt; what evidence could possibly attach criminality to any Governor, or Military Commandant? On the other hand, what Individual could have any security for character, person, property or life, under a Ruler exercising such unrestrained license of arbitrary power?

The Council only met seven times from its first formation to the 1st of January 1803.

The reign of terror was completely established: the mode in which business was daily transacted at the Government-House was so summary, so absolute, so unlike any thing connected with Record, that the Secretary often had no notes of the public proceedings of the day; that the Council was seldom called, and then was hardly ever consulted; but merely received intimations on such official subjects, as were directed by Instructions from home, to be stated in Council.

The Cabildo, or Municipal Tribunal, was never visited by the Governor, except once or twice a year, as a matter of form; and usually received their Mandates from him through the medium of Messrs. Black and Begorrat, who acted in the Cabildo with full powers under him.

The management of the Prison was taken from the Alguazil Mayor, and the whole was vested in Vallot; so that the Governor, Judge and Jailer, were relieved from any control or collateral restraint. It is hardly possible for a European, who has never visited the Tropics, to credit the multitude of detail oppressions habitually inflicted under this despotic and inquisitorial system.

No one could land in the Colony without his permission; no one could remain in it longer than he pleased. If a Gentleman was outraged by him in his usual terms, as a Villain, Traitor, or Brigand, the insult, at the time, could not be resented. If a Gentleman wished to carry on business as a Notary, he must obtain a license from the Governor, who confined his permission to Mr. Knox. It is ready to be proved in evidence, that no Lawyer or Escrivano durst venture, with impunity, to draw a Deed, or state a Case, much less to plead a Cause, displeasing to the Governor. If the Captain of a Merchant-ship offended him, he refused permission for the landing of the goods, or for the departure of the vessel; and, in other cases, withheld his signature from the Register. If the Commander of a vessel on arrival, happened to deliver a letter to any Individual without sending it to the Governor,

Governor, or to the Post-master, who was entirely under his influence, he was menaced with the gallows ; as actually occurred in the case of Captain Fairie. If a Newspaper contained any paragraph, however unobjectionable, that displeased him, the Printer was sent to prison, and his license withdrawn, as happened to Mr. Hargrave, and to his Assistant, Mr. Sullivan, merely for having gone to inquire for him in jail.

A boat, or launch, is indispensable in the Plantations near the sea, for conveyance of produce, and for supplies of necessary stores : but such a boat could not be kept without the Governor's permission.

No one could be married without his license, nor could an order for burial be obtained without his leave.

The latitude thus given for corruption and oppression ; for the seizure, withholding, and illegal transfer of property, could hardly be explained in any reasonable bounds.

If a Merchant, having debts due to him in the Colony, incurred resentment from the Governor, his whole claims were retarded, or rejected, and ruin infallibly ensued.

There are numerous cases of individuals sacrificed to his scrutinizing resentments, which, in all directions, pursued any one who had the misfortune to disapprove his measures, to thwart him in the sale or purchase of an estate, of a cargo of lumber, salt fish, or other provisions for his Negroes, or in any circumstance which he conceived adverse to his system, injurious to his pecuniary interests, or unpleasant to his irritable disposition.

Various warehousemen and shopkeepers were ruined in the following manner :

When any person of that description hesitated to supply Rosetta Smith, his housekeeper, with articles at her own price, or otherwise fell under the Governor's displeasure, an Order was issued to shut up the store, and to put it under charge of the Officers of Justice, without inventory, or schedule of particulars. The owner was conducted before the Governor, or Alcalde, and deposited in jail. In the mean while, the goods were embezzled, lost, or spoiled ; the customers formed other connexions, and the creditors lost all confidence : they knew, that even if their unfortunate debtor should get clear of his imprisonment, he would remain under the unrelenting displeasure of the Governor, and would infallibly be ruined ; of course, they proceeded to enforce immediate payment of their debts. Thus the unhappy individual was compelled to sell off his goods, at any loss, by public vendue, or other summary exposure. If the Governor wished to involve any other persons in the ruin, he directed them to be summoned as witnesses, and detained in prison, lest they should abscond. Their stores, also, were of course shut up, and they too shared in the resentments of this despotic Ruler.

Gentlemen having company at dinner, and omitting to drink the Governor's

Governor's health, they and their guests were upbraided for the neglect, by his Excellency, in terms of great asperity.

A convivial entertainment, in honour of the Peace, was forbidden, and the company dispersed by Black Troops under the Orders of the Governor.

See Address to His Majesty on the Peace; and Proceedings against Higham, Shaw, Johnstone, Sanderson.

A most loyal and well composed Address to the King, congratulating His Majesty on the success of his Arms, and on the restoration of Peace, exposed all the individuals who persisted in the Address, to unrelenting persecution, and some of them to imprisonment. The Governor declared them to be desperate perturbators, enemies to the British Government, because they respectfully expressed their hopes, that His Majesty, in due time, would be graciously pleased to confer on them the blessings of living under British Laws.

It would be endless to enumerate the detail interferences of Governor Picton, to the detriment of individuals, or to specify the aggravated insults, aspersions, and oppressions, which they suffered from him\*.

Although even the most strenuous adherents of Governor Picton admit the violence of his nature, yet some of them have attempted to suggest the absence of pecuniary corruption from his character.

The influence of bold assertion, and insolent demeanour, aided by a system of terror, was never more strongly exemplified than in the history of Trinidad.

It was loudly asserted to be requisite for the safety of the Colony, to imprison, banish, mutilate, torture, hang, shoot, burn, and behead, many hundred victims.

Few persons knew, and no one durst inquire into, or specify the numbers who had suffered.

The general proposition was enforced as a sacred axiom, and as a matter of credence, on every individual who hoped to prosper, or to enjoy official and judicial favour in the Colony. Again, it was declared, that every one who dared to disapprove of any act of the Governor, or to withhold assent and approbation from all his measures, and from those of his advisers, were, in direct terms, villains, traitors, and brigands.

This proposition, too, was impelled upon the Public; and although it violated the feelings and convictions of numerous respectable connexions, in every class and order of society, yet assent to the doctrine was so rigorously exacted, under penalty of proscription, that it ope-

\* At present, it will be sufficient to quote the cases of Mr Thos. Smith, Mr. Lawrell, Mr. Winterflood, Mr. Montgomerie, Mr. Bond, Mr. Shaw, Mr. Higham, Mr. Sanderson, Mr. Macnamara, Mr. Dawson, Mr. Barry, Mr. Minchin, Mr. Mendez, Mr. Basante Padre Angeles, Mr. Bacque and his daughter, and Mr. Marchand. These are enumerated as specimens of the outrages and dilapidations to which His Majesty's Subjects, as well as the most respectable Foreigners, were subjected under the Government of Colonel Picton.

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rated like threats of excommunication in the barbarous ages ; insomuch, that few men were found bold enough to dispute the tenet, or to hold forth aid and comfort to the nearest friend or relative, if under the Governor's anathema.

In the next place, it was circulated that the Governor's attention to the Public Expenditure, and his disregard for pecuniary advantage were exemplary, as well as his labours to promote the security, and to increase the defences of the Island.

These assertions were seldom contradicted, because no one durst express a doubt of them with impunity.

The total absence of all preparation for security and Military Defence, is specified in my Letter, dated 23d of May, to Lieutenant-General Grinfield. See Letter to Lieutenant-General Grinfield, dated 23d of May 1803.

The degree of truth attached to that part of the panegyric, which asserts the absence of pecuniary corruption from Governor Picton's conduct, will appear by reference to the Documents and Vouchers respecting the Cases charged against Colonel Picton, as corrupt transactions in his capacity of Civil Governor.

For example : J. B. Savignon, a Minor, plundered of his property by Governor Picton, who appropriated fifteen Slaves to his own emolument.

Predatory expeditions to the Spanish Main for cattle.

Great quantities of valuable timber for ship-building and other purposes, cut on the Crown Lands, and unaccounted for.

A large supply of stones and lime, dug from the Town quarries, under the management of the Cabildo, for the Public Service, proper to have been employed in the construction of a Jail, but carried off, at the public expence, to Governor Picton's Estate, and applied to the erection of his sugar-houses, and other works, on one of his Plantations.

The culpable mismanagement of the Revenue, including the duty of  $3\frac{1}{2}$  per cent. leviable on all Goods exported and imported ; amounting, on an average, for the last three years, to more than 50,000 Dollars annually, and the application of that money remains yet to be accounted for, exceeding 300,000 Dollars, besides the Revenues of the Cabildo, including one-half per cent. already mentioned, together with Duties on Grog Shops, Billiard Tables, and other Municipal Collections.

The transactions respecting many hundred Maroon Slaves, as already stated, huddled from all quarters into the Jail, and their names or descriptions never advertised till after my arrival, and by my direction.

The exactions from their Owners, before any of them could be released from prison, and numbers of them clandestinely sold, without any price being accounted for, either to the Owners or to the Public.

Grants or occupancy of Lands, without any authority from Government,



vernment, conferred in order to favour various individuals, while the property of others was oppressively taken from them, as in the case of Mr. Sorzano, Treasurer or Contador, under Governor Chacon, who was deprived of his possessions at Orchetta, between Arouca and Arima, and the occupancy of it conferred on Mr. Protin. This Gentleman was not only the declared enemy of Mr. Sorzano, but was thus rewarded for having collected and conveyed accusations against Governor Chacon, at the instigation of Governor Picton, and of his adviser, Don Christoval de Roblez, to the Court of Madrid. The particulars will appear in the case of Mr. Sorzano and of Mr. Protin, with the opinion which I wrote upon the subject, and with the Investigation and Report, which I directed to be made by the Surveyor-General, and by the Commissaries of Population\*.

Transactions with Captains of American vessels, respecting the relative prices to be fixed on their cargoes for the use of the Colony, on the one hand, and articles to be disposed of by the Governor, on the other.

The Exemptions and Indulgencies granted to some of the most desperate and dangerous Brigands, who obtained favour and protection from the Governor, by rendering themselves useful instruments in his service.

In a military point of view, the Charges against him are not less serious.

*First*, For issuing Orders after the 12th of February 1803, directing the Military Officers under his Command, to refuse all aid and protection to the Civil Government, and to the Inhabitants.

*Second*, For unlawful endeavours to intimidate persons supposed capable of giving evidence or information in support of the Charges exhibited against him; in particular, for employing Black Soldiers belonging to the 9th or 12th West India Regiments, in His Majesty's Service, to seize and imprison in the Common Jail, Joseph Timbrill, Esq. Surgeon to the Royal Artillery, because he declined answering questions, respecting a Declaration imputed to him on the subject of Hugh Gallagher, a Soldier belonging to the Royal Artillery, who was hanged at Port of Spain, in the month of May, 1797, by order of Governor Picton, without any form of Trial.

*Third*, For employing Officers and Soldiers in His Majesty's Service, to assist in directing or applying torture on different persons.

*Fourth*, For employing Soldiers on his own Estate, and for his own advantage, when their services were requisite in Garrison, or with their Corps.

*Fifth*, For granting to Mrs. Rosetta Smith, a Woman of Colour,

\* The proceedings against Governor Chacon were still more extraordinary, as specified in my Letter of the 23d of May 1803, to Commodore Hood.

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who lived with him, a Contract for supplying the Soldiers Barracks with Wood, and other Articles.

*Sixth*, For illegally employing Soldiers to seize and eject from the Estate of Orange Grove, John Dawson, Esq.

*Seventh*, For illegally employing Soldiers to eject from her own house, Mrs. Griffiths and her three Daughters, and for putting Mrs. Rosetta Smith, who lived with him, in possession of Mrs. Griffiths's property, by means of military force.

*Eighth*, For illegally employing Soldiers and others, without any form or specification of an offence, to seize and drag to prison, and to detain in an ignominious manner, the following persons :—Messrs. Higham, Redhead, Rutherford, Bradshaw, Minchin, Hargrove, Sullivan, Dubois, Savignon, D'España, Dowding, and many others. Directly violating by military force, all forms of Civil Judicature, established by the Capitulation, and granted to the Colony under His Majesty's Authority.

*Ninth*, For violating the King's Civil Government, by issuing a Proclamation on the 27th of April, 1803, declaring the First Commissioner to be no longer considered as officiating in his Public Situation, and by directing, as Commandant of the Troops, that all Military as well as Civil Persons should conduct themselves accordingly.

*Tenth*, For disobeying the Orders of the King, dated the 23d of April, 1803, and for preparation of military force and actual resistance to His Majesty's Civil Government, and to the First Commissioner, on his return to Port of Spain, on the 6th of June, 1803, at a time when B. G. Picton held no Civil Authority, but still continued as Military Commandant, until the 14th of June, when he was removed by order of General Grinfield.

*Eleventh*, For numerous misrepresentations, transmitted to the Colonial Department, and to other Public Offices, in a manner becoming the character of an Officer and a Gentleman, with the view of attempting to repel the serious Charges which had been preferred against him.

This last assertion is completely established by indisputable evidence, and by reference to Letters addressed to Lord Hobart, dated February 18, 1803, and 6th of March, from Colonel Picton. Also, by reference to other Letters addressed to Lord Hobart, signed by Commissioners Picton and Hood, and dated 24th and 28th of March, and 2d of April, as well as by others transmitted to the Treasury, containing gross mis-statements on the subject of Finance.

The sinister influence of such proceedings on the Spaniards, and other Inhabitants of the Island, and of South America, has already been explained. The impression was not less unfavourable in other quarters : for example ; the failure of the Cotton Crops, and other circumstances in the Bahama Islands, have, within these few years, de-  
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terminated many persons to abandon their possessions. Their first object and intentions were to remove to Trinidad, but the reports of severities exercised in that Island under Governor Picton, were of such a nature as to deter them from hazarding their families, their properties, and lives, under such a Government : insomuch, that five or six hundred Europeans have changed their views, and have removed with five or six thousand Negroes from the Bahama Islands to America ; all of whom, as I am informed, under any thing resembling a British Government, would have preferred Establishments in Trinidad.

Colonel Picton concludes his Address by stating, " That if again placed in similar circumstances, he would pursue the same line of conduct ;" and adds, that great disorders require great remedies. In this sentiment I perfectly concur, but conceive that it applies with equal force to those who govern, as to those who are governed. Under this impression, I shall for once adopt Colonel Picton's language, and hope that this investigation, which it has been my duty to bring forward, will afford the means of applying a remedy, commensurate to the occasion, by enabling His Majesty's Ministers and Parliament, to interpose such checks and regulations, as may in future effectually protect the Colonists from such enormities as occurred under his Government.

As a justification for his proceedings, Colonel Picton has constantly held forth that he had obtained flattering testimonials from Commanders-in-Chief, and from Right Honourable Secretaries of State ; all of whom, I believe, received their information respecting his conduct, in Dispatches from himself, and in Addresses, which he transmitted.

The same system of terror, by which he prevented complaints from being officially communicated to His Majesty's Ministers, was no less effectually applied to obtain Declarations in his favour. In consequence of great dissatisfaction excited by his measures, he was apprehensive of being recalled. In order to impress Ministers with a strong sensation of his merits, Messrs. Black and Langton, Members of the Cabildo, were employed to prevail on that Body to petition the King to continue him in the Government of Trinidad. Although the Members were highly displeased with his proceedings, the novel and urgent mode of intimation, forced them to comply \*. A Petition was prepared from the Cabildo, and one from People in the Town ; they were replete with fallacy, and stated the Colony to be under revolutionary influence at the period of the capture. The contrary, however, was proved to be the fact, because the crews of several Repub-

\* Some of the Members, who were too much intimidated to refuse their signatures, retained in their possession private protests, with the view of shewing that their signing the Address was contrary to their inclination.

lican vessels, at the time in the Road, would have enabled the disaffected, if there had been any number of them, to have defeated the force left under Colonel Picton. The assertion also was disproved by the conduct of the Coloured People, who resisted all attempts to excite disturbance among them. The obvious meaning of the misrepresentations contained in these Addresses, was to describe the Colony as in imminent danger, in order to induce a belief of the Governor's merits in the minds of Ministers, and to obtain an approbation of his proceedings. It is generally understood, however, that Colonel Picton never specified to His Majesty's Ministers a single instance of mutiny, insubordination, or disturbance, in the Garrison, in the Town, or in the Island, during the whole period of his acting as Commandant and Governor of Trinidad. The Petition remained ten days at Mr. Browne's house, and all the Inhabitants were urged to sign it, without effect. At length Colonel Picton was informed that there were hardly ten signatures. Messrs. Mallet and Patrice were directed to carry the Petition round the houses: by the urgent mode in which this duty was effected, about 200 names, the greatest part of them foreigners, were at last obtained. If possible, a still stronger deception was imposed upon His Majesty's Ministers by the same Governor. Similar intimidations enabled him to procure a Declaration from certain Inhabitants, that the introduction of British Laws was hostile to the interests and inclinations of the Colony; although, with a very few exceptions, of individuals leagued with Governor Picton, or anxious to avoid the establishment of regular Courts of Justice, and the payment of their debts, all the Merchants and other persons decidedly wished for the introduction of British Jurisprudence. But till the establishment of the Commission they durst not attempt to bring forward any application to that effect.

The question is now fairly at issue, whether the Governor of Trinidad may, with impunity, commit whatever enormities he pleases, and justify himself by producing testimonials from Compurgators, either implicated in his transactions, or deceived by his mis-statements. The result will determine, whether the Colonists must abandon the Island, or submit to the most cruel proscription, if they dare to whisper an objection, or to withhold their signatures from Addresses praising the Ruler, by whom they are oppressed.

With respect to the occurrences of Trinidad, so far as I was concerned, my conduct was regulated by the same principles and views that directed my endeavours in India and elsewhere, and which, on various occasions, have procured me the most flattering testimonies of approbation. The transactions in which I had formerly been engaged were perfectly known to His Majesty's Ministers, and I therefore conceived my appointment in the Commission for Trinidad proceeded from their wish, that a just and liberal system, embracing the interests of every class and colour, should be introduced for the

benefit of this new and valuable Colony. To the utmost of my ability I laboured to produce harmony, co-operation, a spirit of improvement, and attention to the Laws and regulations throughout the whole Settlement. Accustomed as I had been to the Inhabitants of Tropical Climates, this was no new subject to me, but one upon which I had bestowed much serious thought, and practical attention, suited to the magnitude and importance of the object. As my opinions and modes of acting, however, are totally dissimilar from those of Colonel Picton, he is pleased to depreciate them in proportion as he exalts his own system of Government, which has been denominated the counterpart of that of Robespierre. The Great Ruler of the Universe has commanded us "to do justice and love mercy: the servants of the King are bound to execute justice in mercy. Colonel Picton seems to have taken the converse of the proposition: "do injustice, and practise cruelty."

However unwilling I may be to follow the example of Colonel Picton, in bringing forward what is merely personal, or complimentary to myself, it appears at present absolutely necessary that I should substantiate, by the most respectable Evidence, in what light my principles and proceedings have been considered by those distinguished Governors, Commanders, and other Official Persons, with whom I had the honour of acting, on a much more extensive theatre of operations than the Island of Trinidad could exhibit, during the short period in which Colonel Picton has had the ingenuity to discover that my character was a compound of every thing disreputable and unworthy.

The Testimonials now affixed to this Statement, were originally intended for a very different purpose. Indeed, at the time these Letters, so highly flattering to me, were written, it would have been extremely difficult to have made me for a moment suppose, that any circumstances, such as have now occurred, could ever lead to the necessity of defending myself against a combination of fabrications equally disgraceful in themselves, and in the modes of expression by which they are conveyed. I am charged, in language appropriate to the character and habits of Colonel Picton and his adherents, with introducing a system of disorganization, and levelling all distinctions, under the form of a specious philanthropy; in short, with every weak and wicked measure calculated to bring the Colony of Trinidad to ruin. While, on the other hand, Colonel Picton takes credit for having saved the Island to Great Britain by his prompt, vigorous, and energetic Government. He boasts of the implicit obedience he exacted, and also of the submission yielded by him, at all times, to his superiors; and adduces in proof of this, that he even accepted the command of Trinidad in compliance with the orders of his Commander, Sir Ralph Abercromby. I should hardly suppose any individual entitled to absolute credit on any part of his public conduct, resting solely upon his  
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own assertion ; I have therefore here produced the strongest declarations from those distinguished persons under whose immediate command I have served, and also from the Gentlemen at the head of the Civil Departments with whom I acted, together with the most cordial sentiments of approbation from Officers of high consideration, both Naval and Military, with whom I was engaged in important and successful operations, and in the most intimate habits of private life. These Documents contain a direct contradiction, in every point, to the views of my temper, principles, and character, which it has pleased Colonel Picton to hold forth, upon the knowledge of a few weeks, during which he found me out to be of an artful, cunning, malignant, and avaricious nature ; and afterwards is stated, officially to have reported me to His Majesty's Ministers as in a situation of serious and positive insanity.

In bringing forward these testimonials, my object is, that the Right Honourable Members of His Majesty's Council and Government may fully recollect some of the Services on which I have been employed, the principles on which I have invariably acted, and obtained the most gratifying approbation ; that notwithstanding my conciliatory inclinations and habits, no consideration can induce me to sanction injustice and aggression, or to concur and participate in measures of delinquency.

I will not suffer my own character to be implicated in sheltering cruelty and oppression ; and I will, to the last moment of my existence, assert and vindicate the National Honour.

I did conceive that these sentiments, which I have maintained through life, were among the principal reasons for which I was selected to conduct the affairs of Trinidad, and to suggest and report such arrangements as might enable Ministers to form a system for improving that valuable Settlement, as a model for correcting the numerous abuses in the Government and general regulation of the Colonies.

Happen what may, I have had the good fortune to rescue the English Name and Character from the imputations thrown upon them by the acts of Governor Picton. I have already received the best reward that can be conferred on a well-regulated mind, unequivocal testimonies of confidence and attachment from the great body of British Merchants, and other Inhabitants of Trinidad, on the one hand ; and from all classes of Spaniards, and Coloured Men, connected with the Continent of South America, on the other. The Coloured Classes considered me as a Protector ; and the Negroes, as one, who laboured to preserve them from cruel punishments and torture. In every instance I adhered to the terms of the Capitulation, and to His Majesty's Instructions, by which I was bound to act.

It is unfortunate, however, for the character of the British Government, and for the English influence with the Spaniards, and other Nations

Nations on the American Continent, that such unwarrantable counteractions have been permitted. I was appointed First Commissioner, without any power whatever, except what might arise from my Casting Vote, in the event of one of my Colleagues being absent, and subject to have every order and arrangement reversed the moment he arrived.

The Second Commissioner, as Commandant of the Troops, held all the military and efficient power in the Colony; the Third Commissioner, as Naval Commander, held all the influence derived from the promotions, contracts, and transactions of the Naval Force on the West Indian Station.

It has been my lot to contend in favour of the Laws and Regulations appointed by His Majesty for the security and welfare of the Colony, and to be opposed by the combined exertions of my Colleagues\*.

These disreputable scenes, repeated in different directions, sap the foundations of British popularity, security, and influence: they render the English Name and Character odious to other Nations, and they tend materially to obstruct the successful enterprizes of Great Britain in periods of prosperity, and to endanger the safety of her possessions in less propitious moments.

In the present instance, the pernicious effect of counteraction and fluctuation, during a few months, has been singularly exemplified. Soon after my arrival in Trinidad, in January 1803, the severities of Governor Picton were checked and interrupted. I was then driven off (1st of April) from the direction of affairs for three months; and the former system of intimidation and severity was renewed with double vigour. On the 14th of June, B. G. Picton was removed, and the Military Force placed under his declared Friend and Protector, B. G. Frederick Maitland. On the 16th of June I was restored to authority; and the confidence of the Spaniards, and other Foreigners connected with Spanish and continental interests, revived. Many of them were hastening to Trinidad in all directions, from Angostoura, Guiri, Guara-puchy, Cumana, Barcelona, Margarita, la Guayra, the Carracas, and as far as Maracaibo, and the great Rio de la Maddalena. On the 18th of July B. G. Hislop arrived; and on the 20th of July I embarked for Europe. A mingled Council has since been formed. The confidential and obnoxious instruments under Governor Picton have again been called forth; and various Spaniards who went to Trinidad with important communications for me, found that I had embarked, and that the affairs of the Island were conducted under an influence unpropitious to them.

\* It ought to be observed, however, that when the discussions on these subjects, between Colonel Picton and me, first took place, Commodore Hood was absent.

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It is not by such perturbant scenes of instability and counteraction, that confidence can be established.

Of all the European Nations, the Spaniards are the most averse from change and fluctuation. In this respect they resemble the Nations of the East. It is by regulated and systematic perseverance in just, moderate, wise, and liberal proceedings, without violence, predatory expeditions, and wild schemes of conquest, that England can accomplish the great views which ought to occupy the British Government, respecting the inestimable and mutual benefits derivable from commercial intercourse and liberal arrangements with South America, through the medium of Trinidad.

The disagreement of two or more Commissioners employed in the same Government, is in itself a trivial circumstance, uninteresting to any persons but themselves and those immediately concerned. But when their conduct and differences involve the peace and welfare of a valuable Colony, and affect the National Character in all adjoining Foreign Settlements, the case requires the most serious investigation.

In the present instance, the discussion involves an exposition of detail and persevering abuse, in the judicial, political, and internal regulations of a whole Colony. In this respect, it will exhibit a statement of all that ought to be avoided by those who are anxious to promote good government, internal prosperity, and external relations.

There is another point of view, in which it exhibits a political perspective, no less novel than interesting to all men personally employed in public situations, and who are anxious to repress base conspiracies, contrived to defeat the principles of honour, truth, and justice, and to vilify the characters of those who dare come forward with any exposition of misconduct and abuse, however flagrant and flagitious.

As the cruelties that have been committed under Governor Picton exceed all ordinary credibility, and are repugnant to an English mind, so the machinations attempted to defeat the exposition of them, have been unequalled on the records of official transactions in any British Colony or Department.

It is fortunate for me, that insolence, outrage, and mis-statement, were carried to so daring an extent. With more dexterity and less vehemence, Colonel Picton and his Confederacy might have effected a slow, and almost certain, undermining of my character and conduct. They had occupied the avenues to the Colonial Department; they were in full possession of access to the Admiralty, and the Treasury was not impervious to their fallacies.

Any less violent proceedings on their part, might have been conducted with a sort of underhand demi-official calumny, which would so far have effected their purposes, as secretly to depreciate the person whose duty brought him forward as the Accuser of their measures.

Happily the amount and virulence of calumny have defeated the objects



jects which were in view : an opportunity is thereby afforded me, of claiming the performance of an assurance which I received before my departure for Trinidad, that I should receive full communication of all objections, accusations, or complaints, against me, in order that I might be enabled to give them an explicit refutation.

W. FULLARTON.

*Postscript.*—The Documents annexed to Colonel Fullarton's Statement addressed to Lord Hobart, as corroborating the Facts therein detailed, contained all that he originally thought necessary for the information of the Colonial Department, and the Lords of Council, respecting what personally concerns Colonel Fullarton in his capacity of First Commissioner for the Affairs of Trinidad. Since these were prepared, however, for the perusal of their Lordships, Colonel Fullarton has learned that Colonel Picton rests great part of his Defence on the Address to the Trinidad Council, and on the libellous production against him, which, in November last, he stated to the Privy Council, as printing by Colonel Picton. That Document is now circulating in all possible directions. A friend of Colonel Fullarton's, who stands high in the literary world, found some quires of Colonel Picton's libel laying on the counter of a shop, to be generally circulated, through the medium of its commodities, being made use of to wrap up the various articles sold. This Gentleman conceived it proper to give Colonel Fullarton intimation of the fact, and had the goodness to send him a specimen of the composition, which is now in his possession, and contains the substance of those sheets he formerly presented to the Privy Council, as delineating the character of Colonel Picton better than any other picture that could be drawn. Motives of delicacy, arising from the serious charges affecting Colonel Picton's life, and from the nature of the proof under the statute passed in the 33d year of King Henry VIII. have hitherto prevented Colonel Fullarton from doing justice to his own character, by any exposition of the general conduct and administration of Colonel Picton. As that Gentleman, however, though under investigation on the most serious charges that can affect an individual, has taken advantage of the lenient proceedings which have left him at large, to contrive and circulate the most calumnious misstatements, under the title a "Statement of Facts," Colonel Fullarton conceives it would be extremely improper in him to suffer such a Defence to remain any longer without an explanation to the Lords of Council ; he has, therefore, selected as a Compendium of the Fabrications against him, the Address composed by Colonel Picton, and delivered to the Council of Trinidad. This paper is one of the Documents annexed to Colonel Picton's Libel, and is now subjoined, and answered by Colonel Fullarton, as a full refutation of the disgraceful aspersions

aspersions published by Colonel Piéton; it likewise affords the means of exposing his character and modes of Government. This naturally grows out of the Comparative View which he has laid Colonel Fullarton under the necessity of bringing forward, respecting the principles and line of conduct that he has invariably felt it his duty to pursue, in opposition to those followed by Colonel Piéton, both in his Civil and Military Capacities. Colonel Fullarton has also prepared an Answer to Colonel Piéton's Libel, which shall be submitted to the Lords of His Majesty's Council, as soon as the proper period of the proceedings shall arrive. At the same time, he shall have the Honour of presenting to their Lordships, in a connected Series, the Declarations on Oath, Notes of Evidence, and other Vouchers, in support of twenty-nine Criminal Charges of Death unlawfully inflicted by order of Governor Piéton.



*The following Testimonials forms part of a Case respecting  
Claims of Military Rank 1795*

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~~who served on provincial rank in Tarleton's, Simcoe's, and other irregular corps in America, had permanent and general rank conferred upon them. If Colonel Fullarton should be so unfortunate, as to be excluded from permanency in the army, he will be the only Individual—the late Colonel Ackland\*, alone, excepted, who ever raised and commanded a regular regiment on foreign service, without obtaining some degree or other of permanent rank.~~

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COLONEL FULLARTON is aware of the imputations to which he exposes himself, by subjoining, to his Statement, the following Testimonials, expressed in terms so very much more flattering, than any endeavours of his can merit.

At the same time, by with-holding them, he feels how much he should weaken his pretensions, in so far as the best plea of service and recommendation, to the Royal favour, must rest on the approbation of all the civil and military superiors, under whom an officer has served; concurring with the sentiments of civil and naval authorities with whom he has acted, and with the good opinion of those whom he has had the honour of commanding. In this view, he flatters himself that his Case will appear as completely separated and distinct from that of any officer who ever raised a corps on stipulated rank, as his Statement has shewn it to be dissimilar from the terms and circumstances under which other levies have usually been undertaken and completed.

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\* Colonel Ackland's death prevented the full discussion of his Case.

Soon after his return from India, Colonel Fullarton had the honour of receiving the thanks of a great body of the Company's officers, in the most unqualified and flattering terms of approbation for his services and exertions, transmitted by Colonel Brathwaite, Commanding Officer of the Company's Forces on the coast of Coromandel. These are corroborated by the following Testimonies.

## No. I.

*From Earl Macartney, K. B. formerly Governor of Fort St. George.*

*Curzon-Street, 6th April, 1795.*

MY DEAR COLONEL,

I HEARTILY rejoice in addressing you by your military name.—The important services you rendered in that line, during the former war, make it peculiarly proper that you should be enabled to be equally useful in the present.

I reflect with pleasure on having, when Governor of Madras, entrusted you with commands, in which you acquitted yourself with signal advantage to the public, and much honour to yourself. When you arrived with your regiment on the coast of Coromandel, the Carnatic was then invaded. It was in too great danger, and our situation altogether much too critical, to allow me to select a Commander for the execution of any important duty, from any other motive than the conviction of superior talents, and fitness for the successful execution of it. You owed it entirely to your own talents and activity, that I employed you on the most arduous occasions, and maintained you in the command of the Southern army, and  
of

of the Forts and Garrisons South of the Coleroon, notwithstanding the urgent solicitations of all the Major-Generals belonging to His Majesty's service, on the coast, who were anxious to supersede you. After having appointed you to the chief Civil and Military Command in the Island of Ceylon, in contemplation of Sir Edward Hughes's being able to retain possession of the harbour of Trincomali, which is the key of that valuable Island, I found it necessary to send you to the Southern part of the peninsula of India, where the enemy had been particularly successful against us, and had laid most of the country waste beyond the Coleroon. By ability, exertion, and example, you restored discipline, and infused a spirit of enterprize, which soon forced the enemy to retire within their own boundaries, where you pursued them, and wrested from them one of their most important Fortresses. I am firmly persuaded, that the operations of that army under your command, and the conduct and spirit it exhibited, had a great share in influencing the enemy to agree to make peace with us, on equal and honourable terms, notwithstanding the example of conditions, not of that description, which had been conceded, by order of the Bengal Government, to another Indian power. It was a work not less difficult to reduce the rebellious Polygars, who had constantly infested the Southern Provinces, than to repel the invasion of the external enemy. This was happily effected by you, with little expence of blood or treasure; and you contrived to leave an impression on their minds, which has rendered them ever since that period peaceable and useful subjects.

All these circumstances induced me, without your knowledge, to recommend, in the strongest manner, to the Court of Directors, to retain you, if possible, in their service. They could not confer upon you that permanent rank which would ensure the continuance of the exertions of those uncommon military talents, and great knowledge

knowledge of civil affairs, which you eminently possess. But I wish every detail, into which I had entered in my correspondence with the Court of Directors, may be known to those who have it in their power to do ample justice to your uncommon merit. I hope this will be the case ; and that I shall soon have the pleasure of being able to congratulate you upon your obtaining that permanent rank, which, in my opinion, you so well deserve.

I am,

MY DEAR COLONEL,

Ever very sincerely your's,

(Signed)

MACARTNEY.

No. II.

*From Sir John Macpherson, Bart. late Governor General of India.*

*Brompton, 3d April, 1795.*

DEAR COLONEL,

No person was more in the way of knowing than I have been, the origin, progress, and happy issue of your military services : and if those services are not entitled to real, instead of nominal military rank, I can have no just conception of the military justice of Government. Sure I am, that if any other persons can now or hereafter plead similar military services, the precedent, which the confirmation of your rank would establish, is a fortunate one for the State.

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The original project, when you raised your regiment, was in itself meritorious ; with that project I proposed a co-operation from India, to strike at the Spanish settlements. Commodore Johnstone gave afterwards the plan of attacking Buenos Ayres. The declaration of war against Holland shifted the expedition to the Cape of Good Hope ; where, fortunately for our ultimate prosperity in India, we failed ; and you had the honour, in a principal degree, of closing the war upon the coast of Coromandel, by the extensive and very valuable conquests which the army under your command had effected in Tippoo's country ; and which compelled him to sign the peace of Mangalore.

I sincerely hope, that Government will complete the justice which they owe to your services ; and that they will avail themselves, in the present crisis, of your peculiar talents for conciliating military differences, for acquiring intelligence, and striking with decision at the enemy.

I believe I before mentioned to you, that your very able plan for acquiring intelligence, in the progress of your campaigns, was recorded by me on the Secret Records of the Bengal Government.

I have the Honour to be,

With real esteem and sincere regard,

DEAR COLONEL,

Your very faithful and very humble Servant,

(Signed) JOHN MACPHERSON.

*From*



## No. III.

*From John Sullivan, Esq. M.P. formerly Superintendent, and Director-General of all the Civil Affairs, South of the Coleroon, while Colonel Fullarton commanded the Southern Forces.*

3d April, 1795.

MY DEAR FULLARTON,

I REJOICE most heartily to hear of your intention to urge the confirmation of your rank. If successful and important services, rendered at a most critical period, and acknowledged in the most public manner, can avail, you must succeed. The Records of the Madras Government contain the most distinguished evidence of your efficient exertions, from the moment that the chief command of the army to the south of the Coleroon was vested in you. If that event had taken place in September 1782, instead of April 1783; if your spirit, ardour, and co-operating mind, had had the direction of that army, from the time it was first formed, I feel as confident this day, as I did at that time, that Bedanore, and the army that was captured in it, with General Matthews, would have been saved; that Tippoo would have been obliged to have raised the siege of Mangalore, and that we should have dictated the terms of peace to him. But I forget that my opinions can in no way forward your just claims at this time. The documents from which they are formed, may at some future period tend to establish them, and I shall preserve them with the more care on that account.—If Sir Edward Hughes had been living, it would have gratified him extremely to have expressed the high sense he entertained of your services, and to have repeated the cordial approbation which he had so often bestowed on you  
and

and the 98th Regiment, during your naval campaign. I am satisfied that every surviving Commander of that fleet would be happy in an opportunity of paying a similar tribute of justice. But the facts are too well known to require testimony; and your merits of every kind stand too high to make such a reference necessary. I shall be most anxious to know the result of your application.

Ever affectionately,

Yours,

(Signed) J. SULIVAN.

No. IV.

*From Kenelm Digby, Esq. formerly entrusted with the Civil Department of the Southern Army.*

*London, 2d April, 1795.*

DEAR FULLARTON,

FROM a perusal of your Memorial to His Royal Highness, I was naturally led into a review of past transactions in the East, where your claims are far stronger than therein stated; and though I am well aware how delicate, and even suspicious it is, for a man to urge his fair pretensions, when of such magnitude as yours, still your friends will feel mortified that they are not officially made known; at least, in speaking my own sentiments upon this topic, I am confident I echo those of all who ever acted with you, or under you. For to that perfect harmony and co-operation with every class and description of persons, whether King's or Company's, civil or military, must in a great measure be attributed our rapid success, without  
dero-

derogating in the smallest degree from your military superiority, which was no less conspicuous than essential to our advancing.

I had long been in a confidential situation when you assumed the command, as you well know, and was intimately informed of the then desperate state of our affairs; and you can bear witness, that for a moment I never lost the clue, or quitted the scene, till the progress of your army had awed the tyrant into a peace, which neither the cessation of hostilities, on the part of his European allies, nor the impression of our other armaments, had induced him to hearken to.

I remind you of my own particular situation, merely to add weight to my opinions, in tracing the immediate cause of our success. It must indeed have been evident to all acquainted with eastern politics, that our empire there, at the time you took the command, almost balanced on the fate of those southern provinces.

Our means of support and resistance were wretched, and inadequate to the pressure; but talents, zeal, and activity, supplied our deficiencies, and happily changed the face of affairs. The East India Company, and the public, have felt the fortunate effects of it ever since; but it now behoves your friends to point out to whom they are so highly indebted; and among them, both as eye-witness and an actor on that busy scene, I shall be proud to add my testimony, and to assure you at the same time that

I am,

Faithfully and devotedly,

Your Friend, and humble Servant,

(Signed)

K. DIGBY.

*From*

No. V.

*From Major-General Forbes, formerly Second in Command of the Southern  
Army, under Colonel Fullarton.*

*Ham, 3d April, 1795.*

MY DEAR COLONEL,

YOUR services give you every claim to have your rank in the army made permanent. You served in India, on board the King's ships, with the 98th Regiment, whose conduct at sea, as well as in the field, did themselves and you honour; and you were afterwards placed at the head of an army, in as difficult a situation as perhaps ever fell to the lot of an officer; and in the command of that army, by your exertions, you conquered a very rich and extensive country; and your conduct was such, as to merit the approbation of the officers, both of the King's and Company's service, and to reconcile them all to their situations. This I aver from experience, having had the honour of serving under your command three campaigns.

I am,

MY DEAR COLONEL,

Yours most faithfully,

(Signed) GORDON FORBES.

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*From*

No. VI.

*From Lieutenant-General Sir William Medows, K. B. formerly Commander of the Expedition against the Cape of Good Hope.*

*Mansfield-Street, Cavendish-Square,  
London, 6th April, 1795.*


DEAR SIR,

I AM surprized to think it should be worth your while to have any testimonials from me of the zeal and activity of your service the time I had the honour of commanding you, which was principally on board of ship; but if the testimony of that respectable officer, who I am proud to have called my friend, Sir Edward Hughes, could be procured, it would be so much stronger and more efficacious than mine, and both, in my opinion, far outweighed by your own campaigns afterwards. But, as a proof how highly I think of you, both as a soldier and a man, I rejoice in this opportunity of declaring, in the most public manner, how happy I should be, if employed on service, to have you and your corps compose part of my small army.

Being, with the highest respect, esteem, and truth,

Your obliged, obedient, humble Servant,

(Signed) WILLIAM MEDOWS.

 In another letter from Sir William Medows, part of which refers to private business on the Saldhana Prize Cause, there are

are the following words, on the subject of Colonel Fullarton's application for the confirmation of his Military Rank :

“ This I can venture to say with great safety, I know nobody  
 “ that deserves it more than you; and I think your campaigns would  
 “ plead stronger than twenty such advocates as me, for your merit-  
 “ ing this rank, so much more than many that possess it. And  
 “ sincerely wishing you every success,

“ I am,

“ With the highest respect, esteem, and truth,

“ Your obliged, obedient, humble Servant,

(Signed) “ WILLIAM MEDOWS.”

No. VII.

*From Vice-Admiral Sir Thomas Pasley, Bart. with whom Colonel Fullarton sailed on the Expedition under Commodore Johnston.*

*Welbeck-Street, 4th April, 1795.*

THERE are very few circumstances of my life, my dear Colonel, that I look back to with more real pleasure and satisfaction, than that which first introduced me to the honour of your acquaintance in 1781, when you, with a detachment of your own regiment, the 98th, were on board the Jupiter with me, to whose exertions, from their excellent discipline, I was so very much indebted during that

expedition; and I cannot help adding, that had that so well-digested plan which you laid before *our Chiefs*, been adopted, we should have returned to our country with much more honour and glory than we did. You indeed went on to the East, to gather laurels there, which your enterprize and gallantry so justly merited; and I most sincerely regret that your present state of health robs the country of the services of an officer who does it so much honour in this time of need; but I would gladly hope to hear soon of its being re-established. Believe me I very sensibly feel, being under the necessity of taking this method of paying my respects; my late misfortune having put it out of my power to do it in person for a time; and to assure you that I have the honour to be, with the warmest attachment and esteem,

MY DEAR COLONEL,

Yours,

Very faithfully and sincerely,

(Signed) THOMAS PASLEY.

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*Sir Thomas Pasley, Bart. Inclosure.*

I HOPE, my dear Sir, you will do me justice to believe that there are very few things on earth I should feel myself so highly gratified and honoured by, as the power to render you any acceptable service. If, in the inclosed letter, expressing the sentiments of my heart, I have not couched them as you could wish for the purpose you intend, you have only to say how you would wish, and command me, without ceremony, as I can of a truth assure you, without flattery,

flattery, that there is not an officer of whose gallantry and judgment I have a higher opinion than Colonel Fullarton.

I have the Honour to be,

MY DEAR FRIEND,

Very sincerely,

Yours,

(Signed) THOMAS PASLEY.

No. VIII.

*From Vice-Admiral Sir Richard King, Bart. M. P. formerly Commodore in the Squadron under Sir Edward Hughes, in India.*

*Albemarle-Street, 9th April, 1795.*

MY DEAR SIR,

I HAVE heard with much satisfaction the probability of your obtaining your claim of permanent rank in the Army, in consideration of the services of the 98th Regiment, under your command, in the East Indies. The active zeal with which yourself and the regiment served in the squadron, in a period when the French were greatly superior, must ever be remembered; nor can I forget the obligation I am under to that part of the regiment serving on board the Exeter, particularly in the first engagement; when, by their gallantry and exertions, in conjunction with the officers and seamen, that ship almost reduced to a wreck, escaped from being captured by



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by a very superior force of the enemy. If I could suppose the testimony of a person of so little consequence as myself, could contribute to the success of your own pursuits, or to any part of that deserving corps, I should come forth a volunteer; but I can only presume to offer my best wishes; being, with regard and esteem,

DEAR SIR,

Your faithful and obedient Servant,

(Signed) R. KING.

No. IX.

*From William Devaynes, Esq. M.P. Chairman of the Honourable East India Company.*

MY DEAR SIR,

*Down-Street, 6th April, 1795.*

I AM favoured with your letter, and the Secretary will furnish you with some of the extracts you wish for, respecting the Government's approbation and commendation of your conduct. I am apprehensive, was he to send you the whole, they would make a volume. The one from Sir John Macpherson, recommending the system of intelligence, being a secret paper, cannot be handed to you. With respect to myself, I can heartily concur in the general opinion of your meritorious services.

I have the Honour to be,

MY DEAR SIR,

Your most obedient Servant,

(Signed) W. DEVAYNES.

*From*

No. X.

*From John Hunter, Esq. Deputy-Chairman of the East India Company.*

3d April, 1795.

DEAR SIR,

I AM just returned from the India-House, where the Secretary informed me he was preparing to forward to you the different papers required as testimonies of your conduct whilst employed in the command of the Southern Army, and Garrisons south of the Coleroon. Those documents, I hope, will have the effect you wish, as they would do honour, and add reputation, in my opinion, to any officer ever employed in India. My local knowledge of the dispositions of the refractory Polygars, the excessive difficulties which daily occurred in the moving an army in that wild woody country, where you had to encounter an enemy never before subdued, although often attempted, until your expedition; with an army in want, for a long space of time, of money, and almost of every necessary of life, has often appeared to me as a kind of miracle; and I am sure your conduct, and great good management on that memorable event, will be held out by the Government of Madras on any future occasion as an example worthy to be followed.

I have the Honour to be, with great regard,

DEAR SIR,

Your faithful and obedient Servant,

(Signed) JOHN HUNTER.

*From*

No. XI.

*From William Ramsay, Esq. Secretary of the Honourable East India Company.*

*East India-House, 6th April, 1795.*

SIR,

AGREEABLY to your letter of the 31st ult. I have the honour to transmit you some extracts of letters from the Government of Fort St. George to the Court of Directors, conveying their approbation of your conduct; but I am precluded sending a copy of Sir John Macpherson's letter, recommending the system of intelligence you established with the Southern Army, the paper being considered of a secret nature.

Your distinguished and meritorious conduct while in the Command of the Southern Army, is universally acknowledged; and I am persuaded that the Company's Records afford many more honourable testimonials thereof than are contained in the accompanying Extracts.

I have the Honour to be,

SIR,

Your most obedient Servant,

(Signed) W. RAMSAY, Sec.

EXTRACTS

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# EXTRACTS FROM THE RECORDS

OF THE

*Honourable East India Company.*

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No. I.

*Extract of select Letter from Fort St. George.**Dated 6th September, 1783.*

WE received, a few days ago, a Letter from Colonel Fullarton, Par. 14. containing an account of the operations of his army since its march from Trichinopoly, and advising us of the capture of Pundalum-courchy, the principal Fort of Catabominaigue, a rebel Polygar, who had occasioned considerable disturbances, and impeded the collection of the public revenues in the Province of Timevelly.—As Colonel Fullarton's Letter is very circumstantial, we beg leave, for other particulars, to refer you to the Letter itself, which goes a separate number in the packet.

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*Extract*

No. II.

*Extract of select Letter from Fort St. George.*

*Dated 24th January, 1784.*

PAR. 68. IN justice to Colonel Fullarton, who commands your Southern army, we have great pleasure in adding our warmest testimony of applause, to the reputation he has so justly acquired by his active and spirited conduct in that command.

No. III.

*Extract of Letter from Lord Macartney, to the Court of Directors.*

*Dated 14th October, 1784.*

PAR. 42. As Colonel Fullarton intends very soon to proceed to Europe, I should be inexcusable in omitting to repeat to you how much this Government has been indebted to the military talents, enterprize, and address of that accomplished officer. Could he be prevailed upon to return to this part of the world, in your service, he would be an acquisition to it of the highest value.

In recommending to your attention this Gentleman, with whom I shall probably be but little connected by the habits of my future life, I can be influenced by no motive but an anxious concern for your interests, which must be essentially promoted by your acknowledging and rewarding the merit of those who have served you with fidelity and success.

*Extract*

## No. IV.

*Extract of select Letter from Fort St. George.**Dated 15th December, 1784.*

WE cannot close this Letter without renewing the testimony so often borne upon our Records, to the merit of Colonel Fullarton, who commanded your Southern army during the last very critical period of the war, in which arduous and important station, his conduct was uniformly distinguished by a cheerful and ready obedience to our orders, and a judgment and zeal in the execution, that overcame every difficulty. We trust you will entertain a correspondent sense of his services; and that he will experience, from your honourable Court, that attention he so highly deserves at the hands of the Company.

## No. V.

*From Sir John Cox Hippisley, Bart. M. P. formerly Member of the Committee of Inspection, Pay-master, &c. in the Kingdom of Tanjour, and Deputy Pay-master General of His Majesty's Forces in the South of India.*

*Grosvenor-Street, 1st May, 1796.*

MY DEAR COLONEL,

IF a reference to your particular merits, in the command of the Southern army in India, at a most critical period, is at all necessary to corroborate your pretensions, and to have your rank in the army established, it would be a very culpable omission on my part, not to press forward with those, who, from *official situation*, were best qualified to appreciate the value of your services.

The Records of the Madras Government, under the administration of Lord Macartney, will fully speak to the importance of the conquests made by the army confided to your command, with a *latitude of discretion in the choice of measures* rarely entrusted to any Commander, and which certainly *were not entrusted* to your predecessor.

But, to form a true estimate of your merits, it is necessary to examine the particular difficulties of your situation,—such as, that *the mass* of your army were from *ten to twenty* months in arrear, and the slender pittance, from time to time issued to the native troops, being always in the debased currency of the Southern provinces, bore an immediate loss of from twelve to fifteen per cent.—that, at *the same moment*, by an humiliating contrast, the King's troops were regularly paid *two months* in advance, and in a *coin* which suffered no diminution of value;—add to this, the means by which the necessary stores were procured, to enable your army to act at all, principally from the impulse and encouragement with which you animated those in whose departments they were provided, *by private advances*, when the public treasury was destitute.

The Report of the Debate in the House of Commons, in 1791, on a motion then made by me, and which was immediately followed by a set of salutary orders, recommended to the Court of Directors by Mr. Secretary Dundas, of which he did me the honour to communicate the copies, will serve to evince the extreme embarrassments of your situation. They will at the same time demonstrate, that nothing short of the happy combination of temper, accommodation, and judgment, with the unremitting rapidity of measures, which you judged it expedient to pursue, and which left but few intervals to the native troops to brood over their distresses, could possibly have retained such a mass in any state of subjection. Such a combination

bination was indispensable to have ensured the conquests of all the territories, from the Eastern to the Western coasts of the Peninsula, effected by your army, as well as to have averted those serious consequences which a situation so truly distressful was but too well calculated to produce, especially in a state of comparative inactivity.

I feel it incumbent on me, on the present occasion, to say that, no doubt Lord Macartney, if in England, would think it due to you to avow, that it was not from a *mere accidental succession*, that you became the Commander in Chief of the Southern army; but that arrangements were long in his Lordship's contemplation, and communicated to those in whom he placed a confidence, to elevate you to the situation, best adapted to correspond with the vigour of his own administration, and the advancement of the British interests in India.

In acquitting this debt to your public merits,

Believe me to be,

MY DEAR COLONEL,

With the sincerest esteem and regard,

Your very faithful

And obedient Servant,

(Signed) JOHN COX HIPPISELEY.

Similar



Similar Testimonials were intended to be produced from Vice Admiral Gell, formerly Commander of His Majesty's ship *Monarca*, in the squadron with Sir Edward Hughes; and from Sir George Staunton, Bart. one of the Commissioners who negotiated the peace with Tippoo Sultaun, at the time that the army under Colonel Fullarton was marching from Combatour to the attack of Seringapatam.

By order of the Commissioners, the army halted; and afterwards restored all the forts and territories conquered from the enemy.

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These letters were, by accident, mislaid; and Col. F. did not chuse to trouble the Admiral or Sir George with repeating, what they had the goodness to express on this subject.

THE

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## COPY OF A LETTER

TO THE

*SECRETARY AT WAR.*

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Dated *June*, 1785.

SIR,

I HAVE the honour to inform you of my arrival from India, having sailed from the coast of Coromandel on the 10th *January* last. The 98th Regiment, to which I belong, proceeded from Madras to Calcutta in *October*. The business of the Southern army required, at that time, my continuance somewhat longer in command of the Forces South of the Coleroon. As the troops of which that army was composed had distinguished themselves during a course of very laborious service, and had, with the utmost spirit, supported very unusual embarrassments, I felt it my duty to wave the advantage of accompanying my regiment to Bengal, where I should have been senior officer of the King's corps: I therefore remained upon the coast, in order to state their pretensions, and to urge, as much as possible, a speedy liquidation of their arrears; but afterwards found myself at liberty, in *December*, to proceed

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to

to Madras on my way to join my corps. I was there informed, by Letters from Calcutta, that the 98th was under orders to embark immediately for Europe. Thus left without a corps, and there being no expectation of war in any part of India, I obtained permission to resign my command, and return to Europe. It affords me very particular satisfaction to have the opportunity of informing you, that the 98th has served with much credit in six general naval engagements, and has been honoured with the thanks of Sir Edward Hughes, and of the naval Officers commanding the respective ships, on board of which the corps was stationed.

Considerable divisions of the regiment have also served under Colonel Humberstone, at Calicut and Paniani, and in his several actions with the troops of Hyder in that quarter; likewise in defence of Fort Osnaburgh, under Captain Kelso, where the French were twice repulsed, after the lower Fort of Trincomalee had surrendered. Afterwards on the Malabar Coast, at Onore, Chittydroog, Husseingerry, Beddanore, and Mangalore, under Brigadier-General Matthews, Brigadier-General Macleod, and Colonel Campbell.—Part of the regiment was also with the Carnatic army, at the siege of Cuddelore; and the whole was sent, some time thereafter, to reinforce the Southern army under my command.

During the course of these Services, more various and severe than have fallen to the lot of any other corps within the same period, the 98th have uniformly merited the approbation of the Commanders under whom it acted, and, on several occasions, the officers and men, particularly Lieutenant-Colonel Cathcart, Lieutenant-Colonel Hutchinson, Captain Jenkinson, and Captain D. Campbell, have had very flattering opportunities of distinguishing themselves.

I presume

I presume it will appear no very usual testimony in favour of a corps, circumstanced as the 98th, that since our embarkation from England, there has not been any officer belonging to us in arrest, or even suspected of misconduct.

We have lost nearly half our officers, and about six hundred men, by climate and in action. Of the remaining non-commissioned and privates, some have enlisted into other corps in India; and to each of those that shall return to England, I have offered a house and garden, gratis, on my estate, for his respective life. With regard to the officers, I should be wanting in every sentiment of obligation, if I omitted to state their merits in the strongest terms that my present situation will permit. I trust that our original commander, General Medows, will readily confirm my declaration in their behalf. I shall be highly flattered, if these circumstances shall entitle them to your protection, and incline you so to represent their case, as may procure them the very distinguishing honour of His Majesty's approbation. I think it my duty also to inform you, that the conduct of the King's troops, who served with me to the Southward, has been highly meritorious. They consisted of the 78th and 101st Regiments, together with divisions of the 102d, and of two corps of Hanoverians.

The able and zealous support received from Colonel Stuart, of the 78th Regiment, who was next to me in command, as well as from Colonels Forbes, Elphinston, and Mackenzie, has been repeatedly the subject of my acknowledgments to those Gentlemen.

The regularity and good conduct of the Hanoverians, under Major Offany, were so extremely conspicuous, that I felt myself compelled to express my warmest thanks to them, and to intimate the same to their commanding Officer in India, Colonel Reinbolt.

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I am sensible that these communications would reach you with more official propriety through the regular channel of the Commander in Chief of the King's troops in India ; but the indefinite state of command in that country when I left it, will incline you to forgive the liberty of this intrusion in behalf of men whose services should not be passed over in silence, through any collusion or uncertainty in the situation of their superiors.

I have now, Sir, farther to solicit your indulgent consideration of the following particulars respecting myself. The circumstances under which I became a soldier, have been much discussed and egregiously mis-stated. In the end of the year 1779 I determined to relinquish my pretensions to a respectable appointment that was promised me in the diplomatic service. I therefore laid a proposition before Ministers, offering to raise a body of troops, and to call forth the credit and exertions of some respectable individuals, in procuring conveyance for them ; and to form an armament, under the protection of a considerable naval force, to be employed on a business of sufficient magnitude to justify very sanguine expectations.

The proposals appeared so advantageous, and the object so important, that the Cabinet did not hesitate to approve, and to direct immediate preparations for the undertaking.

In consequence of this determination, formally signified to me, and the other parties concerned, the 98th, and 100th regiments, were raised \*—ships were purchased—stores and supplies procured ; and my friends, as well as myself, were involved in heavy, and almost ruinous expences, in forwarding the equipment ; but, through official difficulties at the Navy Board, the engagements, on the part of Government, were not fulfilled. These delays rendered it too late

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\* The first Letter of Service, dated 7th February, 1780.

late for the armament to sail that season; and the whole losses, attending the purchase, demurrage, and sales of the ships, stores, and supplies above stated, fell on me and on the individuals in question. The particulars, and detail of the whole transaction, are fully evinced by various papers in my possession. They are also particularly known to Sir Charles Middleton, Comptroller of the Navy, whose ability and judgment in all official business of this description are generally acknowledged.

Notwithstanding these disappointments, I presented another proposal to Ministers, urging them to enlarge the force and means, but to retain the ultimate object and destination of the expedition. This second proposition appeared to the Cabinet still more important and respectable than the first. Preparations were ordered—arrangements were made—the corps were augmented\*—armed and coppered transports, to be commanded by King's officers, were fitted out, and the whole naval preparation so ably directed and digested by Sir Charles Middleton, that in a short time all was in the greatest forwardness. It was my misfortune, that notwithstanding those repeated engagements, on the faith of which alone I became a soldier; notwithstanding the series of embarrassments in which individuals were involved (and under some of them they still labour); notwithstanding the repeated assurances of Ministers, and the most public declarations in Parliament, implying, without nominally expressing the destination of the force in question, we should have found, on the commencement of the Dutch War, the original stipulated object of the expedition laid aside, and the equipment diverted into an abortive endeavour against the Cape of Good Hope.

Although I never should have thought of obtruding myself on the army, had I suspected so mortifying a deviation; yet, having  
once

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\* The Letter of Service, or the augmentation, dated 25th August, 1780.

once engaged in the profession, and finding my regiment ordered abroad, it became my duty to attend the corps as long as a man belonging to it should be employed.

After serving on board the squadron, I was ordered to command a body of the King's troops that was sent to the southward of the Coleroon. The general command of the southern provinces soon afterwards devolved upon me, while those countries were in a state of the most abject wretchedness. Almost every sepoy corps had been defeated, or destroyed; the districts ravaged; the inhabitants plundered; the Polygars in rebellion; the revenues exhausted; the magazines empty; the people starving; and the troops, almost without pay, discipline, or subsistence, had been in a state of mutiny and consternation.

I was fortunately conjoined with men, able, zealous, and united in the public cause; and although, on my appointment to the command, it was a prevalent opinion that the Southern Army could not possibly be supported four months together, and would necessarily be disbanded or dispersed; yet I was fortunate enough to act with those who put it in my power to restore confidence and discipline to the troops; in some measure to relieve their wants; to procure them ample subsistence; to reduce the mutinous, rebel Polygars; to establish tranquillity throughout the provinces; and to support the civil servants of the Company in the collection of revenues; not adequate, indeed, to discharge the enormous arrears due to the troops, but with which we fitted out, and supported the army, when augmented to two thousand European and thirteen thousand black troops, besides public followers, with sixty-five pieces of ordnance, including a battering and besieging complement of guns, stores, and conveyance.

With

With that equipment we reduced a country of the enemy's, two hundred miles in length and one hundred and fifty in breadth ; and, yielding an annual revenue of £.700,000 ; we occupied its forts and garrisons ; marched a division of the army entirely across the Peninsula to Cochin. By the strong fortifications and position of Palagatcherry, secured the communication between the two coasts of Coromandel and Malabar, so as to bring their military resources to one point of co-operation and effect against Mysore.

We were on the march towards Seringapatam, in order to besiege that capital, when the interference of the Commissioners, and their positive, unqualified orders, obliged me not only to desist from all hostile operations, but to abandon the valuable acquisitions already secured, and to retire within the territories previously possessed by the Company, at the only moment, during the whole series of the war, that promised to overthrow the family of Hyder, and to restore the English to their former power and consequence in India.

If, therefore, we did not procure more permanent advantage for the public, I trust that neither zeal, labour, nor intention, were wanting on my part. These operations, such as they were, and such as they might have been, were prepared for, and effected without supplies, money, or resources, from the Presidency ; so that while the Carnatic Army, in a routine of very circumscribed and unproductive movements, exhausted the treasures of Bengal, being paid, fed, and supported from that Government, the Southern Army procured means, money, subsistence, and conveyance, by their own exertions, at the expence of the enemy, and marched farther in a given period than any European army ever did in India before.

I had



I had also the good fortune to maintain a state of harmony and co-operation with all classes of public men, by sea and land, civil and military servants of the King, Company, and Nabob, at a time, and in a country, where the most inveterate dissensions and counteractions prevailed in every department; and in the course of a command extremely various, extensive, and perplexed, including near thirty thousand troops, seven principal garrisons, with many inferior forts and stations, and a country near three hundred miles in length, besides the acquisitions from the enemy; under circumstances the most distressful and embarrassing, I have not only had the good fortune of avoiding censure from those under whom I acted, in a country, and at a period, when all the departments were at variance with each other, but have, on every occasion, had the honour of receiving the strongest testimony of their approbation.

I have presumed to be minute in this relation, because I am solicitous that, before my regiment shall be reduced, the circumstances under which I have acted may be laid before His MAJESTY.

(COPY.)

NOTES

# NOTES OF PROCEEDINGS

OF

*COLONEL FULLARTON,*

IN THE

Command of the Forces, Forts, and Countries,

SOUTH OF THE COLEROON:

*Appointed to that Command in MAY, 1783,*

IN ROOM OF

COLONEL LANG,

*RECALLED.*

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THE southern troops, military departments, and revenues, then in the worst condition, insomuch, that a Council of War, held immediately before Colonel Lang's departure, pronounced the army unfit for efficient operations ;—made every effort to put the departments of the army into proper order, and marched the end of *May* from Dindigul to Daraporam, a large fort and country belonging to Hyder, half across the Peninsula.—Reduced that place on the

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2d *June*—found large magazines of grain, and military stores—a garrison of 2,000 troops. Was proceeding to farther operations; but, on the 9th *June*, at Ayryacottah, received orders from General Stuart to march to his assistance at Cuddalore.

Proceeded next day towards Trichinopoly—crossed the Cavery, or Coleroon, at that time unfordable—arrived within three marches of Cuddalore on the 7th *July*—heard of the peace with France, and ordered to return to the southward of the Coleroon.—Proposed to the Board to reduce Salem, Sankrydurgum, Namkull, and Erode, but prevented, by orders to cease hostility against Tippoo Sultaun.

End of *July*, during the cessation with Tippoo Sultaun, marched to subdue the rebellious and powerful Polygars of the Madura, Marawa, and Tinnivelly countries.

Having settled the affairs of Mellore, and Shevigunga, or the little Marawars, marched 100 miles in four days, and reduced the fort of Pandalamcourchy, the capital of Catabominaigue.

*August 12*, found much grain and treasure in the place; a garrison of 2,500 men. From thence marched to Shevigherry—attacked his strong hold, or recess, in the mountains; till then supposed to be impregnable—reduced it on the 3d *September*—found much grain, and a force of 8,000 men.

Reduced all the Polygars, and the Tinnivelly country, to submission, and marched by Madura to Dindigul—was reinforced there by two large detachments from the Carnatic, under Colonels Stuart and Elphinston.

End

End of *September*, marched to Daraporam ; considering that place as a possession of the English, from the date of its former reduction in *June*.—Waited there for events.

*October*, received official intimation from the Council, of a breach of the cessation, on the part of Tippoo Sultaun, against Mangalore, and of his blockading that place.

*October* 18, marched from Pylly, in the vicinity of Daraporam, and proceeded towards Annamally. That fort taken on the 26th *October*, after the forts of Camalum and Chuckly Gerry had been previously reduced.

*October* 28, the army began to penetrate the forest of Annamally.—A jungle, till then considered as impassable for an army, being twenty miles broad, and intersected by deep and frequent ravines. With the advance of the army, arrived before Palagatcherry on the 2d *November*, and immediately began to approach the crest of the glacis by trenches.

*November* 13, opened two batteries. In the evening, the grenadiers took advantage of a heavy rain, and dark night, to drive the besieged from the covert-way. This was effected ; and the enemy were pursued to the interior gate, and afterwards induced to surrender. Found much grain, military stores, and money, 4000 troops in the place, and one of the strongest forts in India, with a respectable glacis, good covert-way, very deep and broad ditch, completely reveted ; strong ramparts, defended by eight bastions, and two projecting defences, covering the entrance, which passed through three gate-ways.

Palagatcherry is a modern fort, built in the European manner, by Hyder—commands the pass to the Malabar Sea, from which it is not more than sixty miles distant—secures the communication between the coasts of Coromandel and Malabar. Its district furnishes the finest teak timber in India, besides pepper, cardamum, and sandal wood. The Paniani River is at hand, to convey its produce to the Malabar Sea; and its yearly returns of grain are sufficient to supply magazines for the largest armies.

*November 22*, marched to the fort and country of Coimbatour, the capital of this extensive country.

*November 26*, got possession of the place—found much military stores, grain, and other valuable articles. From Coimbatour had prepared to march, *1st December*, to Settemungulum, and from thence to the pass of Guzzereddy, leading directly through the Mysore country to the city of that name, and to Seringapatam, in order to besiege that place. But on the *28th November*, received orders from Messrs. Sadlier and Staunton (Commissioners appointed by the select Committee of Madras, to treat of Peace with Tippoo Sultaun), expressly enjoining me to desist from all hostility, and to retire within the lines possessed by the Company on the *26th July* last. In consequence of this order, halted at Coimbatour—dispatched Captain Moody, my Aid-de-Camp, to Madras, to explain the real state of affairs in this quarter—to urge Government to allow me to proceed towards Seringapatam, and informing them, that the army would remain in perfect pacification till farther instructions—Dispatched Captain Maitland, with the grenadier corps, to Trichinopoly and Tanjore, by Dindigul, and Mr. Digby, pay-master, to Tinnivelly, to complete a sufficiency of stores and conveyance, in the event of permission from Government to prosecute the war.

Also

Also detached Captain Agnew, and the third Brigade, towards Cochin, on the Malabar coast, for stores and supplies from thence; and the light infantry corps to Daraporam, to form a magazine of grain, in the event of orders, to retire within the English lines.—Received accounts from Brigadier General Macleod, at Telicherry, that Tippoo Sultaun continued to blockade Mangalore; and that General Macleod had received orders to relieve the place at all hazards.

Afterwards received a Letter from Brigadier General Macleod, stating, that he had proceeded to Mangalore with part of the squadron, and the Malabar army; and that Tippoo had permitted him to throw one month's provisions into Mangalore, from whence he returned to Telicherry on the 2d *December*.

*December 13*, received positive injunctions from the Commissioners to evacuate Palagatcherry, Coimbatour, and the whole country conquered by this army since 27th *July* last—immediately made the necessary preparations, and marched towards Dindigul on the 30th *December*. Ordered the 1st battalion to Cochin, to escort the stores from thence to Palagatcherry, and directed, that on their arrival there, the 1st, 6th, 19th battalions, and light infantry corps, should evacuate the fort, and march to Dindigul.

The countries conquered by the Southern army, during the campaign 1783, extend 200 miles from the limits of Trichinopoly, on the east, to Ramgary, thirty miles west of Palagatcherry.—Their medium breadth is 150 miles; and the annual revenue not less than 700,000l.

The forts of strength and consequence that have been reduced, by breaching and storming, are Caroor, Avaracourchy, Dindigul, Daraporam (Pandalamcourchy, and Shevigherry, these two belong  
to

to the Polygars), Palagatcherry, besides Coimbatour, the capital of the whole country, and many others of inferior consideration.— This tract of conquered country is, in various respects, superior to the Carnatic. Produces abundance of grain and cattle, besides teak timber, sandal wood, pepper, and cardamums, in different places; and if retained in the possession of the English, it would form the best barrier against the irruptions of the Mysoreans, by commanding an entrance directly to the capital, Seringapatam, in such a manner, that if Tippoo, or his successors, were ever again to invade the Carnatic, an English army, from Coimbatour, could besiege his metropolis in thirteen days.

In seven months the Southern army marched 1400 miles; dragged a battering train, and besieging stores, nearly across the Peninsula, and back again. The troops were more than twelve months in arrears, and were kept together without money, conveyance, or provisions, excepting of their own procuring, and lived at the expence of the enemy; so that, while the army in the Carnatic exhausted the treasure and resources of Bengal, the existence of the Southern army was not felt at the Presidency, except by the accounts of its acquisitions.

On the march, 31st }  
December, 1783. }

¶ The campaign, 1784, was employed in marching a third time into the enemy's country, to enforce performance of the treaty, on the part of Tippoo Sultaun; in various distributions of the troops, and in urging arrangements necessary to liquidate the arrears due to the army, and to ensure safety and stability to the Southern Provinces.













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